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EXPERT CITY MANAGEMENT

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WE AMERICANS have been a shifty and versatile people and we have come to believe that almost any man of us can do anything he puts his hand to. He can take up life in a new home, he can learn a new trade, he can do more kinds of things and do them fairly well than the native of any other country in the world. That was one of the needs and one of the results of our early pioneer life. That has been one of the things which have made us successful. We are now reaching a point, however, where every branch of our social and industrial life is becoming specialized, and greater skill is constantly required of each single member in his particular line of work. This is just as true in government as it is in industrial life. We can no longer be content with officials who do many things indifferently; it is important that we should have in each place a man who can do thoroughly well the things which pertain to the particular place he fills.

There are some few branches of city government in which the need for expert work has always been clear. A mayor and council would hardly think of trying to erect important public buildings without an architect or to lay out a system of sewers without an engineer. In the health department it has long been the habit to have some kind of a physician at the head and some sort of a lawyer for the position of city attorney. There are other branches of administration, however, where in common opinion "Anybody will do" and these places most of all have been the snug berths of ignorant politicians. Take, for example, the street cleaning department. What can be simpler than to send out a gang of unskilled laborers, and to let them spend so many hours each day in lazily piling dust and refuse

[1] Annual address as president of the National Municipal League delivered at the Eighteenth Annual Meeting held in Los Angeles, July 8–12, 1912. Mr. Foulke has studied the municipal problem at home and abroad and for years has been identified with the civil service movement both as a member of the National Civil Service Reform League and as a member of the federal civil service commission.

into heaps, shoveling it into carts and taking it off to the dump pile? Surely no expert knowledge is necessary for that!

And what is the result? The streets of our American cities, especially in the slums where health conditions are most critical and the greatest care is required, are often in a detestable condition, with piles of filth, lying for long periods—slimy mud when it rains, and clouds of dust when it is dry and the wind whirls them through open windows breeding disease and death. The streets of most European cities, on the other hand are well nigh as clean as the floors of the dwellings. Why this difference? In Europe, the work is done by a trained force under the management of experts.

The entire problem of street cleaning, like the application of efficiency methods everywhere requires high expert knowledge and a wide grasp of many subjects. Let us consider a few of the things that the superintendent of this department ought to know.

He should know in detail the relations between cleanliness and sanitation. To work effectively he must work in close coöperation with the health department as well as with the police and with the departments in control of the construction and repair of the streets and of public and private buildings and excavations. He must understand the materials and methods of construction which make the most solid highways and will best prevent the needless accumulation of dirt. He should know in what way the erection of buildings may be accomplished with least injury to the streets; and what methods of highway and underground construction and repair will least interfere with cleanliness. He must understand in detail all the causes which produce dust and filth and the measures necessary to eliminate them. It is now well known that from 60 to 90 per cent of the dirt upon our streets can be prevented by the enforcement of suitable regulations and that the cost of cleaning the streets can thereby be proportionately reduced.

He must understand the best methods for the removal of snow and ice in winter and for preventing injury from slippery streets and sidewalks. A superintendent in a city I know, who had permitted filth to accumulate in the early spring until certain alleys and streets became impassable, gravely announced that it would be useless to clean them until the ice and snow had melted!

The superintendent of street cleaning must be acquainted with the character, the operation and the relative value of the appliances and machines for the removal of dirt and must know where he can best use a machine and where it is best to use hand work, where he should sprinkle, where he should sweep and where he should flush the streets and must be able to make an accurate estimate of the cost of each method (including the water) for every hundred square yards. He must know how to arrange the hours of work, preferably in the night or early morning when it will least

incommode and injure the public. German cities are swept with military precision. Work does not begin in the crowded parts of the city till the people are in bed. First comes the sprinkler, then the sweeper and then the gangs of men to heap the dirt in piles, then the carts to carry it away.

These cities put their departments in charge of a municipal engineer. Take, for example, Dresden, where the street superintendent is not only a "baumeister" but is an instructor in the Royal Technical high school and has recently published a work on *Street Cleaning in the German Cities*, treating of every branch of his complicated duties.

Another branch of city government where there is startling discrepancy between the administration of our cities and those of western Europe is the building department. In America enormous damage is inflicted by fires through the improper construction of buildings, involving often great destruction of life as well as of property. The great fires of Chicago, Boston, Baltimore and San Francisco would have been impossible in Germany. I once witnessed the German fire department putting out a fire. The appliances seemed ridiculously small, there was no crowd nor excitement. The fire had broken out in the third story of an apartment building and was blazing in such a shape as with us would presuppose the total destruction of the building. Yet people were quietly looking out of the windows above and below without any thought of moving or of danger to themselves. In a few minutes the blaze was extinguished. It could not pass beyond the apartment where it originated. The building was *actually fire-proof*. It was not the fire department, but the building department to which the credit of this immunity was due. Each building in the city is subject to such thorough supervision and control by competent expert authorities that fires cannot spread.

The most important object of conservation is the life and health of our people and the degree to which these may be conserved by a skillful and energetic health department is only beginning to be realized. Let us take one subject alone; infant mortality. The life of the infant depends largely upon its food supply. Its food is milk and the milk supply of our cities is an accurate thermometer of infant mortality. The proper care of that supply under the efficient administration of Dr. Goler in Rochester diminished by *more than one-half* the number of deaths of children under five years of age during the summer months. The germs of typhoid, diphtheria, scarlet fever and enteric tuberculosis are responsible for the greater part of infant mortality and the danger from these can be obviated by expert supervision. Similar control of the supplies of meat and vegetables, supervision of drainage, the adequate segregation of all those afflicted by contagious diseases are only a part of the duties of health officers. How indispensable are the services of the best kind of experts in the management of the health department of a great city!

Experts are needed to manage the financial department of a city; to design and apply a system of uniform book-keeping which will fully show the exact condition of municipal finances; to prepare a proper budget each year, and wherever a city has control of taxation direct or indirect, to aid in the establishment of a system which will secure the largest income with the least burden upon the citizens. There are no questions that require more scientific treatment than those involved in municipal taxation. Closely akin to this subject is that of the bestowal of franchises and the making of contracts with public utility corporations which will secure the best returns to the city for the privileges granted in the use of city streets and other property. The public utility commissions of our leading states and cities require the highest kind of expert service. Such commissions furnish the best methods known for the supervision and the regulation of rates of water companies, light, heat and power companies, central heating plants, telephone companies, street car companies, etc. Only by expert inspection and scientific accounting can the abuses of private monopoly be overcome and these public service corporations be made to give adequate service at fair rates and at the same time be protected from unreasonable public demands. These are only illustrations from the bulk.

Experts are abundantly necessary in every branch of city government. How shall they be selected? They ought not to be chosen by election. The citizens should be supreme as to all questions of general policy, but the mass of the voters are ill qualified to pass upon the personal qualifications of great numbers of candidates to administer the various branches of the city government. Wherever there is a long ballot with thirty or forty officials to be elected it is impossible that the people generally can learn of the deserts of more than a very few of these candidates.

The council and the mayor (or the commission, where that form is adopted) ought to carry out the wishes of the citizens as to all general lines of city policy and they must supervise and direct the things to be done. It does not follow, however, that they are themselves the best qualified persons to do the work or to appoint the administrative officers by whom it shall be done. In the matter of securing competent experts to carry out the details of administration the members of a city council or commission are perhaps just as inefficient as the great body of the people would be. Their personal and political interests and prejudices and sometimes their ignorance as to the special qualifications of particular candidates lead to log rolling, partiality and bad appointments.

In the federal government it was found that the attempt to select administrative officials by the personal discretion of those in authority and especially at the dictation of congressmen led to the spoils system. Bad men were selected as a reward for the baser political services. The time and efforts of those in authority was wasted in the distribution of places and elections

were corrupted by those who sought or filled public offices. It was found that there was a better way of making these selections and that was to investigate the qualifications of those who applied, first by competitive examinations and then by probation. Hence the civil service law and the competitive system. This law is essential to good government. No one can compare the clean sweep and the corruption which formerly prevailed with the orderly selection of public officials and employees today without realizing the immense improvement which has been made in the federal service by the change.

How far can the competitive system be made to apply? At its beginning large classes of federal employees were excepted, expert positions for example and high administrative places because it was then considered that no expert or administrator of distinction would submit to schoolmasters' examinations.

These exceptions, however, have gradually faded away.

Such positions are no longer excluded because it is not now true that men of high professional and scientific attainments will not compete. The examinations are indeed no longer pedagogic in character. The examiners are not the ordinary subordinates of the civil service commission, but special experts of high rank and character are called in to pass upon the qualifications of competitors. Professional men and scientists feel that there is no degradation in submitting to an investigation of their past education and experience and in preparing a thesis upon the duties of their office and the proper organization and administration of the department they desire to superintend. Hence there is no dearth of competitors. In the examination for chief irrigation engineer in the Indian service, an announcement of the United States civil service commission brought eighty-five applicants, all qualified along certain engineering lines. Twenty-two could fully meet the requirements of the position and those who obtained the highest ratings are believed to have been among the best engineers in the country.

The admirable results of this kind of an investigation is already shown. In the federal service some of the most eminent positions, for instance, that of supervising architect of the treasury in charge of the construction of our most important public buildings, have been thus filled. Since June 30, 1910, appointments were made to the following places by this sort of investigation, at salaries ranging from $2400 to $4800 per annum; professor of chemistry in the public health and marine service; law examiner in the bureau of mines; chemists and engineers of all kinds and in various branches of the service; assistant director in the office of public roads; examiner of accounts in the interstate commerce commission; soil scientist and agronomists in rice and grain investigations in the department of agriculture; forest pathologists in the bureau of plant industry; superintendent of the

light-house service; associate statistician of the interstate commerce commission; Indian reservation superintendent.

It will be observed that these investigations call for qualifications that are both scientific, professional and administrative. For instance, the superintendent of Indian reservations and of the light-house service need high administrative qualifications. The results in these high grade examinations have continued satisfactory.

Let us take an examination paper of one of these investigations, for example, for Indian reservation superintendent. The applicant is required to give names and addresses of ten persons, not related to him, five of whom have been in subordinate or superior business relations with him and have personal knowledge of his qualifications and will answer questions regarding him. Inquiries are made of these persons. He is next required to submit a complete statement of his general education, the institutions where he has studied, the time spent and dates, the courses pursued and degrees, if any, conferred. He must state the facts of his life, describe his environment, tell of his occupations and also submit a statement of his special training in (a) business management; (b) political science; (c) economics; (d) applied sociology; (e) history. These matters relate to his general and specific education and have a rating of three out of ten in determining his appointment. He must next furnish a complete statement of his experience in managing men and describe his method of dealing with them; he must show how he would meet such problems as the keeping of employees contented in an isolated place; the handling of lazy men, bad tempered men, enthusiastic and tactless employees and an Indian "the tenth time he asks the same question." He must state his experience in questions relating to applied sociology, such as social settlement work and his actual dealings with Indians; and his experience in an *executive* capacity showing the number of men under him and the degree of responsibility involved. This special experience counts for four in a total of ten. The third subject is an essay to test general intelligence counting one point only and the fourth subject is a thesis setting forth what he would do if appointed superintendent of the reservation or school. This counts two points. For some positions oral tests are also required to give the examiners a better knowledge of the personality of the candidate.

Such examinations furnish essentially the same bases of judgment as those which an ordinary employer of men, the president of a large corporation for instance, uses in seeking new subordinates whom he does not personally know.

It used to be thought that positions in the legal department could not be made subject to competitive examinations; but now many of the highest officers in that department recognize that competitive tests are better than those heretofore employed. W. T. Dennison, an assistant United States

attorney general in an address to the National Civil Service Reform League in December, 1910, declared that *excepting only a position in the cabinet* which was political, there were no legal places which could not be better filled by competitive appointment or promotion than by the political system which has been its only alternative. Competitive principles have been extended in Kansas City to assistant corporation counsel; in Cook County, Illinois, to the assistant county attorney; in New York and Buffalo to deputy assistant corporation counsel; in New York State to various assistants to the attorney general, and in Wisconsin to all but one of the deputy attorneys of the state.

The federal civil service has been the pioneer in the reform system, but in some cases the leading cities of the country have now gone quite as far as the national government in providing competitive examinations for high positions. Kansas City offers a striking example of the advantages of the merit system, the business of all departments having been increased with a saving in expenses. Under the old system the auditor was chosen by popular vote. The new charter provided that he should be a certified accountant, an expert, and from April, 1910, when the new system began, to August, 1911, the expenses were about half what they had been during any similar period in previous years.

In New York the chief of the fire department was selected on a competitive promotion examination and Deputy Chief Kenlon who stood head of the list and was appointed is ranked as perhaps the most competent executive fireman in the country.

In Philadelphia the superintendent of the General Hospital, the chief of the bureau of highways and street cleaning, an office with a salary of $6000, and nine assistant commissioners of highways have been filled successfully by competitive examinations.

In Chicago the competitive system embraces the auditor, the deputy controller, the city architect, the city engineer, the deputy commissioner of public works, the assistant city treasurer, the superintendent of the bureau of water, streets and sewers, the assistant commissioner of health, the assistant superintendent of police, the deputy commissioner of buildings and the assistant fire marshal (offices at salaries ranging from $4000 to $8000), and most significant perhaps of all, the librarian of Chicago's great public library when a competitive test in which such men as Herbert Putnam, Librarian of Congress, acted on an examining board, resulted in the choice of Henry E. Legler, one of the most eminent expert librarians in America.

Who shall say after this that the competitive system is not adapted to the highest administrative and expert places in a city government?

In order to secure the best experts the service must be made attractive. This can only be done by making it well paid, permanent, and with the highest places attainable through meritorious service. Men will not go

through the years of technical training required unless there be a prospect of remunerative work and a steady job.

It is not necessary to change the mere administrators of city government with each political overturn. When the government of England is overthrown in a parliamentary election scarcely a hundred men in the public service are removed from office. Harriman when he reorganized the Union and Southern Pacific railroads and changed their policies, kept in the experts who were managing the system, and J. J. Hill when he reorganized the Northern Pacific, made only one important change. The places therefore should be permanent during good behavior and efficient service. Every city official should be removable for cause (not political cause; removals upon any such ground should be forbidden) but only for cause affecting the good of the service. An officer should be removed if he is dishonest, corrupt, lazy, stupid, superannuated or inefficient, or if he fails to carry out the order of his political superior, but there should be no power to remove him capriciously, otherwise he might become the mere political tool of his superior. He should be compelled to obey orders but he should have the right to require that such orders should be in writing and on record and that he too should have the privilege of placing on record any reasons why he considered them unwise or unadvisable so that the responsibility for issuing them should be fixed exactly where it belonged.

The expert (like all subordinate city employees) should be removable only on charges and he should have a right to place upon a public record any answer he may choose to make to such charge.

Whether there should be any formal trial is more questionable, and still more so whether a court should intervene to prevent removals. The political head of the department should not be too closely limited in the right to control subordinates, and the interference of courts may lead to vexations and delays so great that the superior officer will often decline to take the risk of failure and will rather permit incompetent men to remain. The federal rule, permitting the superior to make removals at will after a statement of reasons and an opportunity to answer would seem the wiser plan. The chief protection against unjust removals should be the criticism of the public and the fact that those who make them cannot fill the places with their own creatures where the merit system prevails. So much for permanency of tenure.

To make expert service attractive, however, the very highest places must be attainable by those who would make such service their life career and who perform their duty faithfully and well. If promotion stops at the lower grades why should any energetic and ambitious young man choose public employment?

We can hardly overestimate the importance of securing the very best technical service for our larger cities. It is not the politicians, not even the

people at large who have initiated the great modern improvements in city governments, but experts, sanitary and civil engineers, architects and landscape gardeners, bacteriologists, physicians, educators and philanthropists. No city can hope to stand high in municipal progress unless it secures the best expert service for its municipal work.

Here in Los Angeles you propose in your new charter to apply to your city the commission form of government and nobody can doubt after the experience of over two hundred cities in which that form has been successful that it is an improvement upon those that have preceded it. It is simpler; it fixes responsibility; it provides for a reasonably short ballot (though not so short perhaps as a municipal ballot ought to be). The commission form of government, though an important step in municiapl progress may not represent the final ideal. It does not clearly separate policy determining functions from administrative work. The commission is not only to be your legislative body, but each commissioner is to be the administrative head of his own department and I think it will be found in the future that all purely administrative work can best be done by experts selected by the competitive system and not chosen by the people at large. Therefore I am not sure that the provision in your charter giving liberal salaries to each commissioner and providing that he shall devote all his time to the public service of the city is a wise one. I am inclined to think that the very best service in the determination of policies will be rendered by public spirited citizens who are not so paid and who are required to devote only a small portion of their time to public duties and, under them, experts, with a permanent tenure should do the whole administrative work; experts who are well paid, who devote all their time to their work; experts who are chosen not from Los Angeles alone, nor even from California, but from any part of this great country, or of the world, wherever you can find the one who can best furnish the kind of service you need.

In some of the most successful German cities the law provides that every citizen is bound, is required, to give three years unpaid service to his municipality. This service is to be rendered at times which do not seriously interfere with the prosecution of ordinary business. The representative assembly meets one evening and the executive board two evenings in each week and a man's service in these bodies is regarded as his tribute to the public and as his patriotic duty. In addition to this there are other members of the municipal board who are paid, who are experts and who, as well as the burgomeister, devote their whole time to the service of the city. The burgomeister is himself an expert, he is chosen by promotion from other cities and holds office for the term of twelve years.

We cannot bodily adopt the German system here. No doubt we must still elect a mayor who shall devote his whole time to the city and who cannot be, in the present stage of our political traditions, an expert of the

same character as the German burgomeister; but we can well provide that the other commissioners, who determine a city's policy, shall be unpaid or very moderately compensated, serving principally from motives of professional and personal pride and public duty and devoting only part of their time to the city's business and that under them all high administrative officers shall be experts selected by the competitive system without reference to any kind of politics. I believe that this will be the organization of the ideal city of the future. Perhaps you cannot do that now. Probably the form of city government you have proposed is the best now attainable, but this much can be done, under your proposed charter. You can provide that *under the seven commisioners practically every place shall be filled by experts chosen by competitive methods.* The fewer the exceptions the better the result.

In most of the cities where the commission form of government is adopted there are some rudimentary provisions for the merit system and for a civil service commission, but these have been put in as a side issue, quite subordinate to the general features of the commission plan. This is a mistake; there is nothing more vital to good municipal government than the establishment of an efficient civil service system. You may have the Des Moines plan or the Lockport plan or the federal plan or the German plan of city organization and produce good or bad results with them all, but you can never have efficient city government with our present political traditions until you have established an able, upright, *independent* civil service commission. Here is the crux of the whole matter, the most vital point in securing administrative ability. For if the general city commissioners can appoint and remove at will the civil service commission they can force that commission to do anything they like; to make unnecessary exceptions, improper classifications, lax rules or fraudulent examinations so that their own creatures may secure and keep the offices.

If the mayor and seven commissioners are to appoint your civil service commission they ought not to have the right to remove any commissioner arbitrarily. I notice the proposal that all officers (except those in the competitive service) may be recalled by the people. This is a wise but cumbrous proceeding and will not often be applied. Some independent supervision of the civil service commission ought to be added. In New York the city civil service commissions are subject to supervision by the state civil service commission which must approve of the rules adopted and of the classification of offices, and which has full power to investigate all acts of the local body and may remove any member after charges and a hearing, by unanimous vote. In practice the supervision of the state commission has led to stricter rules and a better enforcement of the law.

Indeed the civil service commission itself should be either composed of experts or it should have an expert executive officer, for on that commis-

sion will devolve the duty of applying to the civil service of a city the new efficiency methods which are becoming an important feature in government as well as in industrial undertakings. Hitherto a civil service commission has been used mainly to secure entrance to the service upon merit and to keep the spoils system out. With the management of the different departments and bureaus the commission has had nothing to do. In Chicago, however, a new field has been opened. There the commission was empowered by law (as it should be everywhere) to investigate the service from time to time, and under this authority it proceeded to develop an efficiency system for the whole city systematizing the different departments, promoting the individual efficiency of employees and insuring fairness in the city's treatment of them. The examiners of the civil service commission kept a record of the work of each employee with monthly averages showing from daily report sheets the quality of their work, attendance, discipline and demerits. Quality of work was further subdivided. Clerks, for example, were marked on industry, accuracy, quantity of work and attitude; chiefs of bureaus and divisions on executive ability, initiative, industry, cost of work, supervision of subordinates. The standard required was 80 per cent and if the average of an employee fell below 70 per cent, charges for removal were preferred. The investigation by the commission showed that among the teamsters for instance 30 per cent of the men went home every day at one o'clock and none hauled over six loads a week. A trifling change increased the number of loads 50 per cent and a further change in the location of the dumps would raise the standard 100 per cent. Superfluous helpers were eliminated and a few supervisory regulations increased by 20 per cent the weight of each load; all at a saving of $77,000 a year.

This is only one illustration of widely extended reforms introduced by experts and supervised by the civil service commission in Chicago. They can be still further developed and applied to other cities as an important feature of expert municipal management.

All these suggestions are made with the view of providing better machinery than we have at present for securing good administration in city affairs. Yet good administration cannot be produced by any mere machinery. A city must depend for its excellence upon its citizens and not upon any form of government though that form be the best in the world. Some kinds of machinery will produce better results than others, but no machinery can do anything without a proper application of motive power. That motive power in all government is the human will. In the case of a city it is the will of the body of the citizens. Their constant determination to secure pure, just, and effective administration is the only thing that will accomplish that result. No devices however ingenious can supply the defect of a patriotic spirit in the people and no form of government however clumsy can wholly fail where that spirit generally exists.

It is the public welfare which is the supreme object of government and unless men resolutely struggle for the public welfare they will not secure it. Hence the first and most essential work of all who would improve their government is to stimulate that spirit of patriotism; patriotism which must extend not only to our nation and our state, but also to our city. It was always the city which in ancient days was the object of the deepest and intensest love and pride. Listen to the tribute of Pericles to Athens in that great oration where he sets forth the character and spirit of the city that he loved:

In the political language of the day we are called a democracy, for the administration is in the hands of the many and not of the few. But while the law secures equal justice to all alike, the claim of excellence is also recognized; and when a citizen is in any way distinguished, he is preferred to the public service, not as a matter of privilege, but as the reward of merit. Neither is poverty a bar, but a man may serve his country whatever be the obscurity of his condition. . . . .

. . . . We are lovers of the beautiful, yet simple in our tastes and we cultivate the mind without loss of manliness. Wealth we employ, not for talk and ostentation, but when there is a real use for it. To avow poverty with us is no disgrace; the true disgrace is in doing nothing to avoid it. An Athenian citizen does not neglect the state because he takes care of his own household; and even those of us who are engaged in business have a very fair idea of politics. We regard a man who takes no interest in public affairs, not as a harmless, but as a useless character; and if few of us are originators, we are all sound judges of a policy. The great impediment to action is, in our opinion, not discussion, but the want of that knowledge which is gained by discussion preparatory to action. . . . . I would have you day by day fix your eyes upon the greatness of Athens, until you become filled with the love of her; and when you are impressed by the spectacle of her glory, reflect that her dominion has been acquired by men who knew their duty and had the courage to do it, who in the hour of conflict had the fear of dishonor always present to them, and who, if ever they failed in an enterprise, would not allow their virtues to be lost to their country, but freely gave their lives to her as the fairest offering which they could present at her feast.

Athens indeed, was well worthy of his eulogy. In all the generations and centuries since that day, she has been to all mankind "a city set upon a hill" whose light could not be dimmed by time nor hidden by forgetfulness. Let her example shine on us today.

In every Christian community the perfect city has been the final form into which was fashioned the dream of saint and seer. When, after degenerate Rome had been sacked by the barbarian, Augustine unfolded to the early mediaeval church the aspirations of the new faith and set before its eyes the ideal of a perfect social order, he entitled his great work *The City of God.*

It is in the form of a perfect city that the Bible figures to mankind the dreams of paradise. In one of the last chapters of Revelations the apostle declares, "And I, John, saw the holy city, the new Jerusalem, coming down from God out of Heaven prepared as a bride adorned for her husband." He saw from Patmos in his apocalyptic vision, the golden sunlight and the assembled clouds and amid their radiance, a city, not fixed immutably in heaven—no—but coming down to earth, filled with human vitality and sympathetic inspiration.

Whatever be our faith, let that be the ideal of each of us for the city he inhabits. Let that be the golden dream toward which our efforts tend. The city "coming down from God out of Heaven prepared as a bride adorned for her husband." However sordid its surroundings now, however it may reek with filth and squalor, vice and disease and poverty and degradation and all forms of ugliness and suffering, let that be the image into which we would re-create the city that we love.

"Coming down from God out of Heaven" filled with His justice, His loving kindness and tender mercy and shining with His eternal joy!

"Prepared as a bride adorned for her husband" with wreath and veil and jewels—not the jewels of mere physical adornment—comfortable homes, superb public edifices, commodious schools, stately churches, broad shady highways, ample marts for commerce and factories for industry, spacious parks and groves for recreation and delight—a city not only adorned with painting and statuary and flawless architecture, but one whose fair countenance beams with every spiritual grace, with the blushes of purity and the tears of tenderness, eyes that can awaken hope in the bosom of despair and a heart that cherishes the well being of the humblest of her children as her deepest concern. A city where their health is guarded with a mother's care, where the light of knowledge illumines every household, where fraternal love prevails, where the spirit of fair dealing and a purpose to do right is the motive power behind every action. This is an ideal we will not wholly attain but according to the measure in which we approach it will our city become more and more a source of pride and happiness to all who dwell therein and will draw closer and closer to the realization of John's vision of the perfect "City of God."

TEN YEARS OF COMMISSION GOVERNMENT

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JUST about a decade has passed since the system of city government by commission made its appearance in Galveston. Its introduction there was the result of extraordinary circumstances and the commission plan was not looked upon as affording a new frame of city government which could be extended throughout the land and adopted by cities to their permanent advantage. But the experiment proved a signal success in Galveston; it was soon extended to other Texan cities; then it moved northward, gathering popularity as it proceeded. In ten years the system of commission government has established itself in over 200 cities scattered through twenty states of the Union.

It ought to be pointed out, however, that this triumphal progress has not really been so remarkable as the bare figures seem to indicate. Of these 200 or more cities, about half are places with less than 5000 population where the problem of local administration is not one of great difficulty. Our real problems of urban government have developed in cities of 100,000 or over. There are now about 50 such cities in the United States; but of these only 7 have as yet adopted the commission plan. Moreover, of the 25 cities which have populations of from about 200,000 upward, only one has put the new scheme of government into operation. With a very few exceptions, therefore, commission government has been given its trial in the medium-sized cities of the country where, from the nature of things, the load placed upon it has not been very heavy.

Attention should furthermore be called to the fact that although the commission plan has found adoption in one or more cities throughout twenty states of the Union, its spread has been nevertheless somewhat more localized than this general statement implies. Outside of Texas the new frame of government has not made great extensions in the states of the south; its progress in New England has been slow; it has not found much favor in the middle states, as may be judged from the fact that no city in New York state has thus far given allegiance to the plan. Its progress has been chiefly in the southeast, in the middle west, the northwest, and in the states of the Pacific seaboard. In other words, the plan of commission

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government has proved popular, for the most part, in those sections of the country where the so-termed progressive political ideas have found it easy to gain a foothold. This is natural enough in view of the fact that the commission charters adopted by cities in these various sections of the United States have contained a great deal more in the way of radical change than a simple provision for government by a board of five commissioners. In most cases they have brought into operation such new features as the open primary, the short ballot without party designations, the initiative and referendum, the recall, and have made so many other striking departures from the old system of city government that the change from mayor and city council to a simple commission can be said to rank as only one of several features in the charter.

One might say, in fact, that the commission plan made its way into the arena of municipal reform at the proper psychological moment. It adjusted itself readily to other features in the general program of municipal regeneration, indeed it gained much strength from the fact that it harmonized so well with these. The commission scheme, when first proposed, encountered the objection that so great a concentration of power in a few hands would be dangerous. This objection carried weight in many minds and the plan would scarcely have met with its present-day favor, particularly in the west, had its supporters not seized upon the machine of direct legislation and the recall as affording a means whereby unremitting responsibility of the commission to the people could be secured. Commission government has therefore made headway not alone under its own steam but through the momentum given it by the vigorous propaganda for nomination reform, the short ballot and direct legislation. One must accordingly be careful not to attribute the remarkable spread of commission government to its own inherent and demonstrated merits. It has had powerful allies in gaining a hold upon public confidence.

When the agitation for the adoption of the commission plan took definite and forceful shape a half-dozen years ago, the sponsors of the scheme promised that it would bring about great improvements both in the personnel and in the work of city administration. How far have these promises been fulfilled? The experience that we have now put behind us is not extensive and varied enough to give an absolutely sure basis for broad generalization; yet the lapse of a decade has put some things to proof and of these one may speak with reasonable assurance.

In the first place we were told at the outset that the commission plan would serve to install better men in municipal office. The vice of the old régime in city administration was that with a multitude of posts to be filled by election, men of little experience and less capacity made their way readily into official posts. Indeed, a premium was placed upon mediocrity. The concentration of the voters' attention upon a few candidates would serve

greatly to raise the calibre of the officials chosen, it was said, and the substantial business men of the community would replace the professional politicians at the city hall.

How far has this improvement in personnel been secured? That, after all, is a very important question, for in the last analysis efficient city administration is as much (if not more) a question of men than of measures. The relative calibre of officeholders is something which does not lend itself readily to statistical measurement, but our experience, so far as it goes, has demonstrated that the class of men who hold office under the commission form of government is substantially the same as that which managed to secure election under the old order of affairs. I have satisfied myself on that point by examining the make-up of 10 commissions in as many cities—or 50 commissioners in all. Of these 50, elected under the new arrangements, no fewer than 36 were men who had held some sort of office in their respective cities before the commission type of government was established. When over 70 per cent of the new officials prove to be men who were connected with city administration in the days preceding reform it can scarcely be urged that the commission system has managed to secure a new type of officeholder.

It can fairly be said, however, that while the change to commission government has not revolutionized the type of official secured by the city, it has permitted men of the same calibre to achieve vastly better results. This it has done by the simplification of official machinery and by the concentration of responsibility in fewer hands. In a dozen or more cities the experience has been that a man who made a very ineffective alderman or councillor or administrative official under the old system of divided powers has succeeded in doing excellent work as a commissioner under the new frame of government.

In the second place the sponsors of the commission plan assured us some years ago that their scheme of urban administration would secure a reduction in municipal expenditures. On the whole the commission form of government has failed to do anything of the kind. In some cities the introduction of the new system has been followed by some reduction in the annual expenditures; but this has been the exception rather than the rule. More often than not the new administration has made heavier demands upon the taxpayers than the old. This does not mean, of course, that commission governments have been wasteful or extravagant. On the contrary the establishment of commission government has everywhere put an end to expensive leakages and has resulted in giving the citizens far better value for funds expended.[2] Des Moines, the Iowan capital, affords

[2]See, for further examples, Dr. E. S. Bradford's article on "Financial Results under the Commission Form of Government" in the NATIONAL MUNICIPAL REVIEW, July, 1912.

an excellent example of all this. But on the whole it has been found that, for any sort of satisfactory service, the people of most cities must be prepared to spend as much as they are now devoting to annual appropriations, and perhaps even more. It is not a question of lowering the tax rate but rather of getting more efficient service for the same expenditure of public money. Those who expected that the new form of government would secure financial retrenchment have been in many cases disappointed; but those who looked rather to see the city get one hundred cents in value for every dollar disbursed will find that, in general, their expectations have been fulfilled.

In a few cities the fundamental principles of the commission plan have been set aside, and it is not improbable that the departure from the original system will, if carried to any extent, greatly impair the efficiency of commission government. The simple principles upon which the commission plan is founded are, first, that members of the commission should be broad-gauge amateurs with no administrative expertness, second, that these commissioners should secure qualified experts for all technical posts within their jurisdiction. In keeping with these principles the commission charter ought to provide for two things: first, the selection of commissioners without reference to their skill in any particular department of administration; and, second, provision for a well-administered merit system of selecting their subordinates.

In Galveston and Des Moines, the two pioneers in the development of commission government, the charters provide that the commissioners shall be chosen without any designation of departments which they are to supervise. In other words (with the exception of the mayor or presiding officer of the commission), the commissioners are selected as a body and after being constituted they themselves apportion the administrative work of the city among the five members. That procedure is quite in keeping with the idea that commissioners should be laymen, not administrative experts. But in some few cities (as, for example, in Lynn, Massachusetts, and Grand Junction, Colorado) a significant departure from this plan can be found. In those cities each commissioner is chosen by the voters directly to the headship of a designated department. That is to say, one is elected commissioner of finance, another commissioner of public works, a third commissioner of public health, and so on. Under such a system the voters are almost sure to look for such qualifications on the part of candidates who come forward. They take it for granted that the director or supervisor of finance, for instance, ought to be some one who, before his election, has had a connection with financial affairs; that the commissioner or supervisor of public health ought to be a physician; and that the commissioner or supervisor of public works ought preferably to be an engineer or a man of experience as a contractor. The result is that, under this system of choos-

ing department heads, the candidate with special qualifications of an inferior sort is quite apt to be preferred to the man of much broader calibre whose claims are more general in scope but vastly better in their quality. It is difficult to resist the impression that if commissioners are to be elected to designated duties, an essential principle of the whole commission scheme, which is that the commissioners supply the amateur element in city government, will be set aside. A second-rate engineer ought not to be preferred under any plan of local government to a first-rate banker or business man as commissioner of streets; yet if special qualifications are to be placed before the public imagination he undoubtedly would have a decided advantage at the polls. To lay stress upon the technical qualifications of the individual commissioners is, accordingly, to impair the strongest feature of the whole commission plan, which is the combination of strictly amateur with strictly expert administration, each operating within its own sphere. It is much to be hoped, therefore, that the examples of Lynn and Grand Junction will not be widely followed.

It is likewise to be feared that a good many commission governed cities have allowed themselves to be deluded into the idea that the mere establishment of the new framework of government sufficiently guarantees thorough improvements in the method of conducting public business. Some commission charters seem to have taken it for granted that any able-bodied citizen can be transformed into a municipal expert by the alchemy of a popular vote. Yet nothing can be plainer than the fact that a change from wasteful and slovenly to efficient business methods cannot be secured by the simple expedient of placing all responsibility in the hands of five men who happen to be designated by popular vote with appropriate titles. Commission charters have been too commonly deficient in the matter of definite provisions or expert service. Their framers seem to forget that the chief responsibility for success or failure in the proper conduct of the city's affairs must rest not upon the commissioners themselves but upon the municipal officials whom they employ.

Another defect of commission charters which has become very apparent during the last half-dozen years is their failure to give due attention to what might be called the business provisions of the city's organic law. So much care is bestowed on the political provisions of the charter, upon the methods of nomination, the form of the ballot, the number and remuneration of commissioners, the assignment of functions among them, and to all such matters, that little room has been left for the various detailed provisions concerning checks upon undue borrowing, scientific budget making, modern methods of accounting, and the score of other matters which are of imperative consequence in making the administrative affairs of the city run satisfactorily.

These are some of the shortcomings which the experience of a decade discloses in the actual operation of the commission plan. They are not of great importance and all are easily capable of remedy. On the other hand, the system of government by commission has, as its sponsors promised it would do, put an end to that intolerable scattering of powers and duties and responsibilities which the old type of administration promoted to the point of absurdity. It has not freed city administration from all good ground for criticism. No system could do that, but it has brought things to such a pass that when administration is faulty there are definite shoulders upon which to lay the blame. Local issues are no longer clouded by shifty deals between several municipal authorities. The plan has made possible the introduction of business methods in city administration as the experience of at least a score of cities during the past half-dozen years amply proves. To measure any city administration in terms of economy or efficiency with private business management is unfair unless large allowances are made; for it should never be forgotten that a city government, whether it be a mayor and council or a small commission, must give the citizens the sort of administration they want, and this is not always synonomous with what is best or cheapest. Commission government, furthermore, has enabled cities to conduct their business without administrative friction and delay. It has promoted a proper spirit of discipline in all ranks of the city's service and has helped to put an end to the errors and abuses that formerly went under the name of patronage.

On the whole, the objections commonly urged against the new system have not materialized in actual operation. It was urged that the concentration of appropriating and spending powers in the same hands would prove dangerous and objectionable, but in none of the cities which have adopted the commission type of government has this fusion of powers brought unsatisfactory results. On the contrary, the experience of these cities seems to indicate that this blending of appropriating and expending powers possesses some distinct advantages over the old plan of separation. It seems to inspire greater care in making the appropriations and to promote greater success in keeping within them when made. Under its influence commission budgets are, so far as recent experience goes, framed with far more regard for the interests of the whole city than council budgets have usually been. Commissions, moreover, have not proved to be less capable in handling expenditures than were the uncoördinated boards and officials that formerly had such functions in charge. The indictment of commission government on this score can draw no evidence whatever to its support.

As is too frequently the practice of those who stand sponsors for reform, the advocates of commission government have been disposed to promise more than their plan can expect permanently to achieve. To hope that

this or any other system will prove a self-executing instrument of civic righteousness is to avow an optimism which shows scant knowledge of man as a political being. But under the commission plan many cities have secured a frame of government which the average voter can understand; and a government that is to be responsible to the people must first of all be intelligible to them. Not least among the accomplishments of the commission movement has been the fact that it linked itself with and drew into operation a dozen features that have helped to secure improvement in various branches of municipal administration, such as nomination by open primaries, the short ballot, the abolition of the ward system, direct legislation, the recall, the merit system of appointment and promotion, publicity in all municipal business, modern methods of city accounting, and the concentration of responsibility for the improper expenditures of public money. As a protest against the old municipal régime it has been very effective; as a policy it has, despite its incidental shortcomings, fulfilled much of what its supporters claimed for it.

MUNICIPAL HOME RULE IN CALIFORNIA

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IT CAME from Missouri. The convention which in 1879 drafted the present constitution of California was much influenced throughout its deliberations by the Missouri constitution completed but four years earlier.[2] It was only natural, therefore, that the San Francisco delegation should have seen hope for the municipal independence of their city in the unique provisions of the Missouri document permitting cities of over 100,000 inhabitants to prepare through boards of freeholders charters for their peculiar needs.[3] The discussion which became quite heated upon this somewhat original proposition led to very serious modifications of the Missouri plan. The fear that San Francisco, the only city of 100,000 inhabitants would become practically independent of the state suggested the provision that the charters should be subject to approval by the legislature, while, at the same time, the aversion to special legislation, strong in the hearts of these constitution-makers, dictated that this approval must be of the charter as a whole without amendment. The provision that charters must provide for a mayor and a two-chamber council which had seemed wise to the Missourians, appealed not at all to the assembled wise men of California, and they omitted it. The number of freeholders to be chosen to draft the charter were thirteen in Missouri, but the Golden State, like some hotels, declined to court misfortune by including this unlucky number in its constitution. The quota of freeholders was therefore fixed at fifteen. With these changes the Missouri plan became engrafted on the fundamental law of California.[4]

Of course at the time of their adoption these provisions were intended for the sole benefit of the two great cities of St. Louis and San Francisco. The former had already adopted a charter by the new method before the California convention began its operations.[5] It took San Francisco, how-

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[2] *Debates and Proceedings of the Constitutional Convention of the State of California*, remarks of Mr. Hager, p. 1059.

[3] Missouri constitution, art. ix, sec. 16, et seq. Thorpe, *American Charters, Constitutions and Organic Laws*, pp. 2256–2258; also *Debates and Proceedings*, op. cit., p. 105, et seq.

[4] Constitution of California, art. xi, sec. 8, original section. See E. F. Treadwell, *The Constitution of the State of California* (ed. 1911), p. 353.

[5] Horace E. Deming, *Government of American Cities*, p. 93.

ever, twenty years and several abortive efforts to actually secure a freeholder charter, which went into effect on January 1, 1900.[6]

In the meantime, California had traveled far beyond Missouri on the way to municipal home rule. In 1887 the constitution was amended so as to extend the privilege of framing their own charters to cities of over 10,000 inhabitants.[7] Immediately four of the larger cities of the state, Los Angeles, Oakland, Stockton and San Diego, elected boards of freeholders and submitted charters which were approved by the legislature in 1889.[8] The popularity of homemade charters brought about the inclusion of cities above 3500 population in the favored class.[9] The original clause had provided, in imitation of Missouri, that the charter might be amended at intervals of not less than two years by proposals submitted by the legislative authority of the city to the qualified electors thereof, and subsequently to the senate and assembly of the state.[10] This portion of the section was amended in 1902 by making mandatory the submission of such proposals whenever 15 per cent of the qualified electors joined in petitioning the legislative authority to so submit them.[11] The courts had held that the right to make a freeholder charter was not a "continuing right" and that once exercised all changes must be by way of amendment to this original document.[12] Numerous amendments to charters were ratified by the legislature in the sessions of 1903 and 1905, and it became obvious that it might greatly serve the interest of simplicity and consistency to permit a city to frame a charter de novo. The legislature of 1905 therefore submitted to the people an amendment authorizing cities of over 3500 population not only to frame a charter, but having framed such a charter to "frame a new one."[13] The reform legislature of 1911 submitted the last and most important of all the amendments.

The present section of the constitution provides that the initial steps for the election of a board of freeholders may be taken either by the council directly or upon the petition of 15 per cent of the qualified electors computed on the total vote for governor at the last election. The freeholders now have one hundred and twenty days in which to complete their work (originally the period allowed was one hundred and later ninety days). Ample provision is made for the publication of the charter in papers of general circulation, within fifteen days after it has been filed by the free-

[6] E. F. Treadwell, *Charter of San Francisco Annotated.*
[7] Amendment of 1887, Treadwell, *Constitution of California*, p. 350.
[8] Statutes of 1889, pp. 415, 513, 577, 643.
[9] Amendment of 1892, Treadwell, *Constitution of California*, p. 349.
[10] Original section, Treadwell, *Constitution of California*, p. 353.
[11] Amendment of 1902, Treadwell, *Constitution of California*, p. 347.
[12] *Blanchard vs. Hartwell*, 131 Cal., 263.
[13] Amendment of 1906, Treadwell, *Constitution of California*, p. 345.

holders with the city clerk. Not less than twenty nor more than forty days after the completion of publication it is submitted to the people at a special election, and if approved by a majority of those voting, it is ready for presentation to the legislature at its next regular or special session. Legislative approval being forthcoming, as it always is, one copy certified by the mayor and authenticated by the seal of the city, is deposited with the secretary of state and one copy, after being recorded in the office of the county recorder, in the archives of the city. The process of amendment is similar except that the services of freeholders are not required.[14]

In all, thirty-one cities have availed themselves of the opportunity of making their own form of government.[15] They include all the considerable urban communities of California and many of the smaller ones. The census of 1910 shows that there are fifty-two incorporated places in California with a population of 3500 or over. Of these, twenty-three had a population of less than 3500 in 1900. Six out of the twenty-three having at various times passed the 3500 mark have adopted freeholder charters. Among the cities which have for ten years or more possessed the requisite number of inhabitants only Bakersfield (12,727), Santa Ana (8429), Redlands (10,449) and Santa Clara (4348) have not now freeholder charters.[16] Several cities have adopted two charters and amendments have been frequent, Los Angeles leading with amendments every two years since 1903. Sometimes these amendments, as in the case of those proposed by San Francisco in 1910 and Los Angeles in 1903, are very extensive, amounting practically to new charters.

It is thus obvious that the freeholder charter privilege has been largely employed by California cities. That it has been used on the whole wisely, no one can deny. Our cities are on the average well governed as compared with the country at large and where deficiencies exist they are due not so much to the frame of government as to political conditions which would pervert any charter no matter how excellent. At any rate the people are contented in the knowledge that full control of the machinery of government is in their hands. Our boards of freeholders have not been bold enough to "cast off their moorings from the habitable past." Until the last four years they followed pretty closely in the beaten track of municipal develop-

[14] Constitution of California, art. xi, sec. 8. As amended by amendment approved October 10, 1911.

[15] Statutes 1889 to 1911 (Extra Session).

[16] Freeholder charters have been ratified by the legislature as follows: 1889—Los Angeles, Oakland, Stockton, San Diego; 1893—Grass Valley, Napa, Sacramento; 1895—Berkeley, Eureka; 1897—San Jose; 1899—San Francisco, Santa Barbara, Vallejo; 1901—Fresno, Pasadena; 1903—Salinas, Santa Rosa, Watsonville; 1905—San Bernardino, Santa Rosa; 1907—Alameda, Long Beach, Riverside, Santa Cruz, Santa Monica; 1909—Berkeley, Palo Alto, Richmond; 1911—Vallejo, Santa Cruz, San Luis Obispo, Pomona, Petaluma, Oakland, Monterey, Modesto, Stockton and Sacramento.

ment. They have not revolutionized municipal government, being unable, perhaps happily, to divorce themselves from custom and tradition. On the whole, however, and especially of recent years, they have used their power progressively. The San Francisco charter of 1899 applied imperfectly the principle of the initiative and referendum.[17] The Fresno charter of 1901 provided for the initiation of ordinances by a petition of 15 per cent of the voters.[18] The Los Angeles charter amendments of 1903 introduced the "recall" to American municipal affairs and the language of that charter in providing for that trilogy of progressivism, the initiative, referendum and recall, has been copied verbatim into great numbers of recent charters.[19] The commission form of government was taken up in 1909 by Berkeley[20] and San Diego,[21] the former the most advanced features, the non-partisan nomination and majority election, of the Des Moines plan were copied with progressive modifications. The Berkeley election plan permits a majority on the first ballot to elect without further contest.[22] At the regular session of 1911 the legislature ratified eight charters of which six, including that of Oakland, the largest city in the country to adopt the commission plan so far, provided for that form of government.[23] At the same time San Francisco secured amendments which give her practically the terms of the Berkeley charter as to the initiative, referendum and recall and non-partisan nominations and elections.[24] A large part of the credit for the overthrow of the corrupt political forces of San Francisco in the fall of 1911 is ascribable to these improvements—self-made—in its charter. At the special session of 1911 two more charters, both of the commission variety, were presented to the legislature, from Stockton and Sacramento.[25] The latter provides for the shortest of ballots, one only of the five commissioners being chosen each year. There, too, the majority non-partisan election system helped to down a few weeks ago, one of the worst and ablest rings in California. I think it is safe to conclude that while cities under the freeholder system do not adopt certain reforms like commission government so speedily as if the legislature presented them ready made for simple adoption, they are by no means backward in working such reforms out for themselves. A new pattern or cut in ready-made clothing will get on more backs in shorter space than the same style in custom-garments. It is, however, the latter which fit the eccentricities of figure and provide the full and scant in their proper locations. We have enjoyed all the advantages of special legislation without its evils. We have charters which meet each peculiar need and they are in the main as progressive as we might hope for.

[17] E. F. Treadwell, *Charter of San Francisco*, art. ii, ch. 1, pars. 20, 21, 22.
[18] Laws of 1901, p. 832, §277.
[19] Laws of 1903, pp. 572–575.
[20] Laws of 1909, p. 1208.
[21] Laws of 1909, p. 1137.
[22] Berkeley charter, art. vi.
[23] Laws of 1911.
[24] Laws of 1911, pp. 1670–1685.
[25] Laws of 1911 (Extra Session), 254, 305.

When, however, we say that we have good and suitable charters under the freeholder system, we know that we have not told the whole story for any person cognizant of the usual relations of state and city. Cities may have the right to draft their own charters and amend them at will, but if the legislature may by its enactments override charter provisions, the city's liberty is merely nominal. The evil from which California cities suffered prior to 1879 was special legislation. Not only were all charters specially granted but the statute books were crowded with special acts for particular cities. For the purpose of illustration let us take the single city of San Francisco and see what legislation was passed for it in a year selected at random, say 1869. In that year[26] fifty special acts were passed for San Francisco, many of them containing numerous items. Only two were ostensibly charter amendments, the remainder being merely special acts authorizing or providing such important things as the appointment of deputies in the assessors office,[27] the employment of one janitor at $75 per month,[28] the opening and establishment of a street by name,[29] the appropriation of $5000 to the Sisters of Mercy for services in a smallpox epidemic.[30] That these are not extreme examples of legislative interference may perhaps be seen from the following pious title, "An Act to authorize the Mayor and Common Council of the City of Marysville to close up Virgin Alley between Seventh and Eighth Streets."[31] Altogether these special acts made a state of confusion in the legal basis of power of every city which even a Philadelphia lawyer would have hesitated to precipitate in the service of the richest of corporations. These measures were generally of local origin. Indeed, legislative interference with city government is practically always of local origin. I was present in the New York assembly when the famous ripper bill depriving Ogdensburg of its charter to oust a Democratic administration was put through. There was no doubt of its local authorship. The difficulty with special legislation is not the *place* from which but the *persons* from whom it emanates. Sometimes it comes from the people or representative citizens, but more frequently from disgruntled minorities and sinister groupings of the ill-disposed.

So grave an evil had this become by 1879 that the members of the constitutional convention set their faces sternly against it. They prohibited all local and special laws in thirty-three enumerated cases embracing practically every subject on which such legislation might be framed.[32] They further provided that corporations for municipal purposes should not be created by special laws, but by general laws according to a scheme of classi-

[26] Laws of 1869.
[27] Laws of 1869, ch. 22.
[28] Laws of 1869, ch. 174.
[29] Laws of 1869, ch. 361.
[30] Laws of 1869, ch. 171.
[31] Laws of 1869, ch. 155.
[32] Constitution of California, art. iv, sec. 25.

fication to be provided by the legislature.[33] The section in question closed with these words: "and cities and towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this constitution, shall be subject to and controlled by general laws.[34] By this means such control as the legislature might exercise over any city, whether possessing a freeholder charter or not, must be by general law.

As is well known, the attitude of the courts has been so liberal that a legislature may exercise a good deal of local power through laws general, at least in form. California was no exception to this rule. In the leading case of *Brooks vs. Hyde*,[35] Sanderson J. said: "The word 'general' comes from genus, and relates to a whole genus, or kind, or in other words, to a whole class or order. Hence a law which affects a class of persons or things less than all, may be a general law." Under this ruling, although the opportunity for interference with local independence by statute was greatly reduced, it was by no means abolished. This led to the adoption of a constitutional amendment in November, 1896, inserting the word "except in municipal affairs" immediately before the words "shall be subject to and controlled by general laws." The phrase "except in municipal affairs" has closed the last aperture through which the legislature might even covertly, and by indirection, deprive a city of its liberty. It makes the California city the best protected in the United States against the corrupt or misguided efforts of outsiders to save her from herself.

The meaning of the term "municipal affairs" is no longer doubtful. In the first place it refers to the internal business affairs of the city and not to its external relations. For instance, the method of conducting charter elections,[36] and the procedure for the annexation of contiguous territory,[37] are not "municipal affairs." Neither are the trial and punishment of offenses defined by the laws of the state[38] and the power of the state to pass laws for the protection of the health and safety of the people is not diminished. On the other hand an act to require ordinances and resolutions passed by the city council to be presented to the chief executive officer of the municipality, for his approval, is invalid as against a contrary charter provision;[39] while such matters as the compensation of municipal officers,[40] the management of hospitals and almshouses,[41] imposing license taxes for revenue,[42] and opening streets,[43] have been held to be municipal affairs.

[33] Constitution of California, art. xi, sec. 6.

[34] Constitution of California, art. xi, sec. 6; original section. See Treadwell, *Constitution of California*, p. 310.

[35] 37 Cal. 366, 376.

[36] *Fragley vs. Phelan*, 126 Cal. 383.

[37] *People vs. Oakland*, 123 Cal. 598.

[38] *Robert vs. Police Court.*

[39] *Morton vs. Broderick*, 118 Cal. 487.

[40] *Popper vs. Broderick*, 123 Cal. 456; *Elder vs. McDougald*, 145 Cal. 740.

[41] *Weaver vs. Reddy*, 139 Cal. 430.

[42] 143 Cal. 553, 558, 564; 141 Cal. 204.

[43] *Byrne vs. Drain*, 127 Cal. 663.

A charter board of health may supplant a board provided by a state law, although this does not mean that a central state board of health may not have jurisdiction within a city.[44] It has even been held that bonds voted under the park and boulevard act, but not sold at the time a charter containing different provisions on this subject takes effect, cannot be issued.[45]

The net result of all these measures for protecting city independence against the legislative activity of the state is perhaps best indicated by an analysis of the legislation of 1911. This was the most prolific legislature which ever sat in California. There were, however, not over ten laws directly affecting cities other than those organized under general laws. Among these were the tenement house act,[46] a clear and very proper exercise of the police power of the state, and an act requiring the compilation and publication by the comptroller of the financial transactions of all counties and municipalities,[47] a most salutary measure of the right kind of state control. Several measures were indeed passed, some half dozen in all, at the instance of the city of San Francisco. Some of them were legalizing bond issues which have received a two-thirds popular vote;[48] providing for the removal of remains from cemeteries.[49] and for the opening of streets through cemeteries,[50] amending the civil code relative to the use of the same tracks by two lines of street railway;[51] and an act making the use of a public service system by a municipality a more necessary use than the use of the same system by a private corporation.[52] There is certainly no objection to these measures in form or in principle. The city simply comes and asks changes in general laws to relieve it from some disability or to secure some advantage, which relief or advantage sound policy may well demand should be granted to all cities. Most legislation originates with localities or individuals in this way and must inevitably do so. The curse of legislative interference is a thing of the past in California.

There remains only to speak briefly of two more provisions of the constitution. One of these was a most unfortunately inconsistent limitation on the liberty of municipalities. Section 19 of article xi until this year provided that in a city where there were no public works owned by the city for supplying water or artificial light, any person or corporation might lay wires or pipes in the streets of the city upon the simple conditions that the city might lay down rules as to damages and regulate rates.[53] This provision destroyed the effect of the system of competitive bidding for franchises inaugurated by the San Francisco charter of 1899 and was generally

[44] *People vs. Williamson,* 135 Cal. 415.
[45] *Fritz vs. San Francisco,* 132 Cal. 373.
[46] Lawsof 1911, ch. 432.
[47] Laws of 1911, ch. 550.
[48] Laws of 1911, ch. 234.
[49] Laws of 1911, ch. 577.
[50] Laws of 1911, ch. 578.
[51] Laws of 1911, ch. 580.
[52] Laws of 1911, ch. 358.
[53] Art. xi, sec. 19, original section Treadwell, *Constitution of California,* p. 404.

harmful.[54] An amendment of 1911 substituted for it this language, "Persons or corporations may establish and operate works for supplying the inhabitants with such services upon such conditions and under such regulations as the municipality may prescribe under its organic law . . . . ." At the same time the right of a municipality to own and operate its own utilities was made clear and certain.[55] The other is a board grant of power, unusual in the generality of its terms, to cities and counties. Section 11 of article xi provides, "Any county, city, town, or township may make and enforce within its limits all such local, police, sanitary, and other regulations as are not in conflict with general laws." This approaches in magnitude those general grants of power which are so often the theme of the admirers of European city governments. It is the capstone of our system of municipal independence.

To sum up the privileges of California cities: (1) They may make their own charters subject to a formal submission to the legislature which always approves them; (2) These charters prevail over general laws, even, in all matters affecting the internal affairs of the municipality; (3) Special or local laws are forbidden; (4) They may adopt any kind of ordinance or regulation even outside the field of strictly "municipal affairs" not inconsistent with the general laws of the state. Our cities are the freest on earth. Perhaps indeed they are too free because they are scarcely at all subject to those modes of administrative supervision which work out so well in other countries. In this respect, however, they are gradually losing their isolate position. To show how much in dollars and cents we have gained by this system would be impossible. It is even hard to estimate our gains in popular satisfaction and in the convenience of not being obliged to persuade a third party to minor changes in our government. It is not unlikely that our greatest benefit has come from the tricks that have not been played, the deceptions which have not been practised, the graft that has "died a'borning." No one can measure exactly such advantages but we all know that we enjoy them and that they are great.

[54] Charter of San Francisco, art. ii, ch. ii, sec. 7.
[55] Constitution of California, art. xi, sec. 19.

MUNICIPAL FINANCES AND TAXATION

BY EDWARD L. HEYDECKER[1]

New York City

TO MOST minds, the phrase "municipal finances" is the equivalent of municipal expenditures. Such attention as municipal finances have received from students of municipal affairs, has been directed chiefly to the making of the budget, the control of the budget, public accounting and the general proposition of getting a dollar's worth of goods or services for the expenditure of each one hundred cents.

All this is excellent and has been productive of great good; it has invited and developed a close scrutiny of municipal activities, their relative cost and the consideration of the varied fields into which municipal activities have extended or should extend. But in the main it has left untouched the question of how the municipal revenues shall be raised.

Those who are eager to see municipal activities extended to new fields or to see a broader occupation of fields already partially occupied, have often deplored the emptiness of the municipal treasury, but if they have given any real thought to the question of revenue have usually occupied themselves in searching around for some new tax by which to add to the balance in the city treasury, or some way to extend the limit on bonded debts. Existing methods of taxation have been generally accepted, without any real scrutiny of their incidence, their productiveness, either actual or potential, or their equity as between taxpayers. The general attitude has been that taxes are inevitable, a nuisance and a burden. Payment has been accompanied by a feeling of unfairness and inequality, as though the tax was something taken by superior might from the citizen rather than an obligation fairly due to the public treasury for value received.

Municipal revenue is very largely made up of the proceeds of taxes levied on real estate, that is, on land and the improvements thereon. Of late years the proportion of revenue coming from a direct tax on real property has increased until in many cities, particularly in our northern and western states, this constitutes almost the only source of municipal revenue from direct taxation. At the same time we find an earnest effort being made to provide state revenue from other sources, so that the direct tax on real estate may be left to the municipality. These two efforts are reciprocal and each has helped the other.

[1] Assistant tax commissioner of New York City since 1907; secretary of New York State Conferences on Taxation, Utica, 1911, and Buffalo, 1912, and chairman of the committee on real estate assessment of the National Tax Association.

This paper was read at the Los Angeles meeting of the National Municipal League.

Thus in the city of New York 96 per cent of the direct taxes are paid by the owners of real property and only 4 per cent by the owners of taxable personal property assessed under the general property tax. For many years the state of New York has been reducing its direct taxes on the property of the individual taxpayers and deriving its income more and more from the so-called indirect or special taxes. For several years prior to 1911 the state of New York levied no direct state tax and would today be without such a tax, were it not for the necessity of meeting the charges for interest and sinking fund on its rapidly increasing state debt for canals and roads. And what is true of the city and state of New York is true, to a great or less extent, in many of the other states and larger cities. Of course, many of the states are hampered or even prevented from going far in this direction because of their iron-clad constitutional requirements for the taxation of all property by a uniform rule. California is one of the latest states to win its freedom from this cramping constitutional restraint on the evolution of a progressive and equitable tax system.

While thus the tendency is to put the main burden of local taxation upon real estate, this is justifiable, since the benefit from the proper expenditure of municipal revenue is reflected promptly in real estate values. These expenditures do not add to the value of any particular building but only to the value of sites, but they do cause a much greater demand for buildings and in consequence the number is increased. These site values mount with each dollar properly expended in any civic betterment or civic activity, and grow much more rapidly than the expenditures for such purposes. An outlay of a million dollars for highways may easily add ten or twenty millions to the assessment rolls by bringing land which formerly was inaccessible or for some reason unusable, into the circle of municipal activity and life.

As a general rule, each piece of taxable property or person assessed for taxation contributes to three tax budgets, namely, to the state, to the county and to the municipality, for we can properly classify school taxes and all taxes for special municipal purposes as really constituting part of the municipal budget. State and county taxes are rarely levied on separate assessments but are imposed as super-taxes on the municipal assessment. This being so, the vexatious question of equalization arises.

Nothing has done more to produce inequality of assessment and, what is far worse, to produce acquiescence among taxpayers in under-assessment of property, than the attempt to levy state direct taxes at a uniform rate on the basis of local assessment rolls. Hence the movement in the several states to provide a separate source or sources of revenue for the state, is really far more important as a means of bringing about equitable assessment as between taxpayers in a municipality than as a relief from direct contributions to the state treasury.

If some way can be found to avoid the necessity for equalization for county purposes, this good work will be carried still further. Time does not permit the discussion in this paper of proposals made to that end. Foremost among these is the plan to raise state and county revenue by an apportionment of the sum required upon local budgets instead of upon local valuations.

If the assessor can be free to make his assessment solely as a basis for a municipal tax rate and not to serve also as a part of a larger basis for the imposing of a county or state tax rate, much will have been gained. In that event, nearly all of the inducement to under-valuation will disappear. But even if the local assessors must continue to realize that their assessment is to be subject to a super-tax for county or state purposes, still the need of assessment at full value is apparent. For an equitable assessment can not be made except at full value and unless the assessment is at full value the individual taxpayer has no real protection against over-assessment.

Suppose that the law provides, or the practice among assessors is, to assess at 60 per cent. Does not that presuppose the determination first at 100 per cent in order to arrive at 60 per cent? Why not then enter the 100 per cent upon the assessment roll, and reduce the tax rate correspondingly? Or again suppose that one piece of property has been assessed at 50 per cent and another adjoining one at 70 per cent, while the general ratio is 60 per cent. How is the fact to be determined and how will it be apparent? The 70 per cent owner will be practically without remedy, for he will still be assessed at less than full value and it will be difficult for him to prove a general ratio of 60 per cent and a particular ratio of 70 per cent in his case. But suppose that assessments are made at full value and that he is assessed 120 per cent. How easily he can then prove that he has been assessed for more than the property can sell for. And how conspicuous on the other hand, will be an assessment at 80 per cent while all the neighbors are at 100 per cent.

Yet it is the fact that most taxpayers acquiesce in an assessment at some percentage of full value and even regard it as necessary and as the only way to protect themselves from paying more than their share of county and state taxes, overlooking the fact that every other tax district is in the same scramble to evade in the same manner.

It seems that although the direct tax for state purposes is theoretically correct, the practical disadvantages are such that the easiest way at present out of the difficulties surrounding it is to provide separate sources of revenue for the state and to leave real property to the municipality as its separate source of revenue.

If, however, we have an assessment at full value, will we then have a sufficient basis to provide an adequate municipal revenue without too high a tax rate?

The statistics of land and improvement values in cities are inadequate and not very reliable, but we can be sure of certain facts. As cities are improved and population grows, land values grow still faster and the value of buildings certainly keeps pace with the population.

In the city of New York the assessment rolls show for each separately assessed parcel, the value of the land without the improvements and also the value of the land with all the improvements, if any, thereon. Hence it is easy to ascertain the value of all privately-owned, taxable land and all privately-owned, taxable improvements.

The records show that the land value per capita in New York City is $915 and the improvement value per capita is $533. These figures have not materially varied through a number of years. Assessments in the city of New York are as near full value as the utmost diligence and the exercise of wise discretion on the part of the assessors can make them. I believe that they average 97 per cent or better, of fair selling value. As the population increases, year by year, these per capita figures hold steady and true. Hence it appears as a general statement that every child born in New York City adds $900 to the value of the site of New York and every person who permanently locates there adds an equal amount; and that to house these babies and newcomers requires an expenditure in new buildings of over $500 per capita; and the privilege of supplying each baby with transportation facilities, with electric light, gas and telephone service, is immediately capitalized at $135 as indicated by our assessments of these special franchises.

The selling value of land is an untaxed value. This is a statement on which economists of all schools agree. It means that the selling value of land is determined by capitalizing at the current rate of interest the net annual ground rent. Thus a net annual ground rent of $500 will mean that the land will sell for $10,000; or to put it the other way, that a piece of land is worth $10,000 because it is commonly believed that it will yield $500 per annum net. But we can not determine the net annual rent until the taxes have been paid. In the case supposed, that of a lot selling for $10,000, or worth $10,000 as we say, what we mean is that its actual or potential rent is $500 plus the taxes. If the tax rate is 2 per cent then the taxes will be $200, which added to the $500 will mean a gross rental of $700. Of this gross rental of $700 the city will take $200 in taxes, leaving $500 to the owner. And the owner and the public with him show their appreciation of this fact, by declaring that the land is worth $10,000, that is to say, $500—the net rent—capitalized at 5 per cent.

But neither the owner nor the assessor attempts to capitalize the $700 gross rent. Yet if the tax rate were reduced to 1 per cent so that only $100 would be required in taxes, this would leave $600 for the owner and he would quickly ask $12,000 for his land.

Now the bearing of this on the question of municipal finance and taxation lies in the fact that in every growing city, land values are steadily rising and that an increase in the tax rate, if it be slight and gradual, is more than likely to be offset, or more than offset, by the increase in land value, so that the owner even after paying the increased tax, still has an undiminished net return from his land and hence has not suffered any diminution in his selling value. It is true of course that every increase in the tax rate will deprive him of what would otherwise be a profit, but on the other hand, the value of his land is due to the presence and enterprise of the population and their municipal expenditures.

In the case of buildings it is different. Buildings do not increase in value by any municipal expenditure, because the value of a building is never more than the cost of its replacement. Again buildings deteriorate rapidly and constantly require repairs. Hence a fixed or increasing tax rate to the owner of a building, deteriorating in value, is often a hardship. And the utmost care should be exercised by assessors to make proper allowance for depreciation in value of buildings.

Turning now to the sources of municipal revenue, other than direct taxes on real estate, in this paper I shall exclude from consideration all reference to franchise taxes or to special assessments for local improvements. This leaves only the attempt to assess personal property under the general property tax, and so-called business taxes or licenses on occupations or on various phases of business or chattels.

I do not deem it necessary to enter here into any discussion of the futility of attempting to assess personal property by any uniform rule or at any general rate. That has been done so often and so effectively that in only one state in the Union, Ohio, can any one be found in office, who even pretends to uphold or defend the system. Yet despite this general agreement as to the futility and inequity (or iniquity) of the personal tax, the assessors in the cities of nearly every state have fastened upon them, by constitutional requirement or statutory provision, the duty of attempting to assess personal property of all kinds, merchandise, chattels, loans, money and credits. Where they make any serious attempt to perform their sworn duty, there are loud complaints of the unfair burdens placed upon business. Where they ignore the constitution or the law and make no assessments or small assessments, they are denounced for favoritism or corruption. And where as in many cases, they boldly and openly make bargains with new enterprises for total exemptions or small assessment, they breed a disregard for the law which is most dangerous and demoralizing, and is also unfair to businesses already established.

All attempts to assess personal property for local taxation should be abolished, if only because of the apparent and acknowledged evils which attend

the system, evils far greater in extent than can be offset by the small revenue resulting from even the most rigid enforcement.

But another reason exists for its abolition. Every city is striving to attract business and rejoices in the establishment of each new industry and in each increase of business in its borders as shown by trade statistics. Yet every tax on personal property, every license paid to engage in business, every charge on any phase of business, is a reason why some particular business which otherwise would be attracted to a city, should keep away from it. And that such business does often keep away from such a city is a fact well known to all and many instances could be cited. Yet every business attracted to a city brings in workers, increases the pay rolls and adds to its land values and its building values, and in that way more than makes up for the small revenue lost by abolishing personal property taxes and business licenses.

The foregoing has concerned itself with the sources of city revenue. There remains the large question of the administration of the assessor's office, or the question of efficiency in assessment. Since the main burden of local taxation rests on real estate and must rest there and since the assessment of real estate is becoming more and more a direct municipal question through the tendency to set it aside as a separate source of revenue to the municipality, the importance of improved assessment methods increases.

Despite the very general feeling that assessment is a matter of guess work on the part of the assessor, we know that it can be made precise, scientific and accurate.

In such work, as in all branches of municipal work, the first requisite is skill and experience. The assessor should give his whole time to the duties of his office, he should be continued in office as long as his work is satisfactory, so that his growing skill and experience may be retained for the service of the municipality. New appointments to the assessing staff should be made from selected lists of qualified men. And the assessor and all his assistants should be paid salaries of adequate amount to attract and keep men of intelligence and integrity.

The records of the office should be so kept as to show to the public and particularly to the complaining taxpayer, all the processes by which the assessment has been worked out by the assessor. Publicity is one of the best cures for unequal assessments. It is very difficult to interest the average citizen in tax reports or in a study of assessment figures. But I maintain that the compulsion on the assessor to arrange his records in such a way that all the details of each assessment can be traced, is of inestimable benefit to him, even if no taxpayer ever examines his books. It will serve both as a check to the assessor against inadvertence or mistake and as a safeguard against the temptation to oblige a friend by a low assessment or for any other reason to make a small assessment.

To the end then that all the details of the process may be shown, the separate statement on the roll of the value of the land and the value of improvements is necessary. This at once checks inequality in the assessment of the land, because by this method two lots of equal size, side by side, must show the same assessed value.

If a unit of value of the land be adopted, it will provide another means of checking all land assessments. The best unit of land value in cities is the value of one foot front of a standard depth, say 100 or 150 feet. Square foot value can never be satisfactorily used, because it is the frontage on a street or other open space which determines the value of a lot, and square foot value ignores this primary rule.

A scale of value for varying depths of lots should be established. Different cities have different scales. No one scale can be said to be necessarily correct, but the main thing is to have a scale or percentage table, which is generally accepted and used in the buying and selling of land. It is noticed however that the percentage tables in use in the cities which have developed the most scientific work show only slight variations, one from the other, so that we can say that there is pretty general accord as to the relative values of long and short lots.

Tax maps are an essential to good work. A tax map is the tool most needed by an assessor, yet in only a comparatively few cities are maps to be found which are adequate for this purpose. How an assessor can be expected to produce an equitable assessment without a good tax map, kept up to date, is beyond me. Where criticism is justly made of careless or indifferent work by an assessor, it will usually be found that he is either without a map or has to work with one which is old, erroneous or lacking in some important particular.

The presence of a good tax map will not only protect the assessor and assist the taxpayer, but it will also permit the making of a land value map. By this I mean an outline map of the city, showing the blocks or squares, on each side of which may be entered the unit of land value along the street. By means of such a land value map the relative values of streets may be shown, one with another, the high points and the low points and the gradations of value between them, through street after street, from one end of the city to the other. Such maps are prepared and published annually in New York.

In the matter of buildings a set of rules for the value of new buildings of certain definite types and sizes may be prepared, from which by a little adaptation, and a proper allowance for depreciation, the value of each building can be deduced with relative accuracy, at least, as between buildings of similar types. By these means the assessment of land and buildings can be reduced almost to scientific precision. To illustrate what I mean let me say that I have on more than one occasion, been visited by an indig-

nant taxpayer, who demanded to know how we arrived at such a high assessment on his property. Without permitting him to tell me more than the street and number of the house, the size of his lot, the size and material of the house, I have been able, by turning first to the land value map, to ascertain the value of the land and by turning to the table of buildings values to ascertain the value of the house. By adding the two together I have then been able to tell him what his assessment should be and have witnessed his amazement when he showed me his tax bill, disclosing an assessment in substantial accord with my figures.

I do not mean, however, to intimate that an assessment can be made in the office by simply consulting a land value map and a book of building values, because both the land value map and the book of building values, can only be prepared by trained and skillful assessors as the result of their work in the field. These maps and tables summarize what they have learned by diligent study and inquiry up and down the city.

Furthermore when the actual assessment figures are placed upon the roll, in many cases special allowances must be made for local conditions, such as in the case of land, rock or swampy ground, bad grade or a sharp change in use to which the land is put. There may be a "twilight zone" between residences and factories, where values are very uncertain.

The value of land at the corners of streets presents many difficulties. Every city assessor is continually wrestling with this problem and various attempts at a uniform mathematical rule to cover these cases have been made. But no rule has yet been devised sufficiently universal in application to be entitled to general acceptance as a basic principle. We must still rely on the discretion of the assessor applied to the particular corner problem, aided by the methods of appraisal in actual use by real estate men in their city, which methods may slowly be developed into rules for standard corners.

In the case of buildings, any building may present a special problem, calling for special consideration and allowance. In a rapidly growing city a large proportion of the buildings at any given time are obsolete because unsuited to the changed conditions of the neighborhood in which they are located. Buildings good enough to last one hundred years are frequently worthless as plainly appears when the property is sold and the building immediately torn down to make way for a different type. Because land generally rises in value and buildings always decline in value, buildings are usually over-assessed. When the fact is known the danger is less, but great care must be exercised not to over-assess buildings.

To sum up then: Aside from franchise taxes and assessments for local improvements, the main source of revenue for the city budget is taxation of real property. Every effort should be made to free this kind of property

from taxation by other jurisdictions, such as the state and the county and reserve it wholly for the municipality.

Real estate is the logical subject of local taxation because the expenditures of the budget are immediately reflected in the increased value of real estate and because the great value of the site of the city is due to the presence and enterprise of the city population, increasing proportionately with the increase in population. With full value assessments a moderate tax rate will produce an amount to satisfy a budget made up economically and yet with due regard to the increasing municipal activities.

Taxes on personal property and all business licenses tend to drive business away or to interfere with its growth and hence tend to retard the city.

The main burden of local taxation now rests upon real estate and the tendency is rather to increase than to diminish this proportion. Hence the use of improved methods of assessment is imperative. Accurate, scientific methods are possible and should be introduced, to aid the assessor and protect the taxpayer.

THE ACTUAL WORKINGS OF THE INITIATIVE, REFERENDUM AND RECALL[1]

BY DR. JOHN R. HAYNES

Los Angeles

TO the average Californian, discussion of the advisability of the measures of direct legislation seems foolishly superfluous. With us they have long since passed the experimental stage and are regarded as settled steps in the evolution of government. The right of direct legislation is as much a matter of course with us as the right to choose representatives to legislate for us. We are rather apt, therefore, to smile with benign pity upon our friends of the "effete east," who still look with apprehension upon these instruments of self-government, notwithstanding the fact that in the heart of old New England they have been practiced successfully ever since the coming of the *Mayflower*.

Nevertheless it is no accident that these measures have received their freest and fullest development in the west, and especially in the extreme west—the Pacific coast. It is in keeping with the trend of all history. Although the star of empire has always moved from east to west, the star of liberty and democracy has always moved from west to east. This is logical, for there is inherently little difference in the capacity of individuals of one class as compared with those of other classes; environment determining the result in the main. The western man, because of the virile blood of pioneers in his veins, because of the greater economic opportunities offered him in a new country, and because of the inspiration he receives from the very immensity of his natural surroundings—the boundless plains and the towering mountains—has that faith in himself and in his fellows,

[1] Dr. John Randolph Haynes has for many years been a leader of the movement for direct legislation in California and on the western coast. He was the first to agitate the question of the adoption of the initiative, referendum and recall for Los Angeles and in 1900 drafted the provisions dealing with these subjects which three years later became a part of the city's charter. The incorporation of the recall and the first application of the principle in fact into the actual machinery of government was especially his individual work. On this account he is known as the "Father of the Recall." At the time of its adoption Los Angeles was the only community in the world where a majority of electors had at any time the power to discharge unsatisfactory officials. Since that time the recall has been adopted by nearly 200 American cities and by three states. Dr. Haynes has been a member of the Los Angeles Civil Service Commission and has served on the freeholders' and revision boards to frame and revise the city's charter. Charles D. Willard, for many years a member of the Executive Committee of the National Municipal League, thus speaks of Dr. Haynes: "There is in Dr. John R. Haynes some of the material of which great law makers are made, also something of the hero and martyr, also a bit of the prophet and the seer, and a lot of the keen vigorous man of affairs."—EDITOR.

which forms the basis of all democracy. For some, or all, of these reasons, we find Asia receiving the light of democracy from Europe, Europe from America, and the Atlantic coast from the Pacific coast.

I am to give today, however, not a philosophical discussion of democracy but an account of the actual workings of the initiative, referendum and recall. As the first political community in the world, so far as can be learned, to use the recall, and as one of the earliest and most active of the cities to adopt and use the initiative and referendum, your program committee has thought that the experience of Los Angeles with these measures may be of interest.

Where facts and theories conflict, theories must give way. Why need we use the subjunctive mode in discussing these provisions of direct government, speculating as to what *might* happen, when the experience of Los Angeles and other cities, states and nations enables us to use the indicative mode of expression, stating that under their operation such and such things *have* happened. Opponents of the initiative, referendum and recall, without specifying instances where these provisions *have* failed, contend that they *would*, if adopted, cause continual disturbance, hamper honest officials, injure business, prove expensive to operate, result in hasty and unwise legislation, mean a government by the minority instead of by the majority, and, in short, be a government by the mob.

What has been the experience of Los Angeles and of other communities?

Do these provisions become disturbing factors in social and industrial life? The experience of Los Angeles shows that private citizens there do take a more active part in the affairs of the city than is the case in most communities; but we do not regard this as an evil. It is the lack of this participation by the private citizen in public affairs that has been the source of most of the evils which have characterized American municipal government. The supposition, however, that these provisions result in continual strife and bickering is wide of the mark. In the something over nine years of use in Los Angeles, there have been filed in all under these provisions, 23 petitions. Of these 17 proved sufficient in number of signatures to go to ballot; 10 carrying and 7 meeting defeat. This surely does not indicate an excessive degree of disturbance.

Do these provisions injure business and retard the material growth of the city? Under these provisions, the federal census shows that this city has in the last decade outstripped all other American cities in the percentage of increase in population, in business and in building.

Do these provisions hamper the honest official in his administration of the public affairs? In the nine years passed under these measures, Los Angeles has held two recall elections. Three recall petitions have been filed, but one proved insufficient when the signatures were checked, and was there-

fore abandoned. In the other two cases, Councilman Davenport was recalled by a large majority and Mayor Harper resigned before the election occurred, realizing that he would be recalled. Rumors of threats to recall are, it is true, very common; but no attention is paid to them ordinarily either by the officials or by the people generally. As has been seen, in the nine years it has been found possible in only two cases to secure sufficient signatures to bring about recall elections. The great value of direct legislation consists not so much in its use, as in its possession which, like the gun behind the door, renders its use unnecessary.

What of the expense? 14 of the 17 measures submitted to ballot by petition were decided in elections called for other purposes and cost nothing; of the 14, 7 were initiatives and 7 referendums. There have been in the nine years of direct legislation in our city but 3 special elections due to that fact. One of these was an initiative ordinance prohibiting saloons which was overwhelmingly defeated; the other two were for the recall of the officials already referred to. The total cost of the 3 special elections due to these direct legislative provisions has amounted to less than twenty thousand dollars. As against this they havesaved the city millions of dollars. The giving away of a river-bed franchise was, on one occasion, prevented by the threatened use of the recall. This franchise was appraised by President Ripley of the Santa Fé Railroad as worth $1,000,000. On another occasion there was prevented by the use of the referendum, the sale by the council for $500 of a franchise, which was not only conservatively estimated to be worth $500,000 to the recipients, but yielded to a private corporation possession of the only practicable route for our proposed municipal railway to the harbor, for which purpose its value can scarcely be overestimated. On the one hand we have the expenditure for special elections in the nine years of some $20,000; on the other hand, we have a saving to the people in these two instances alone of more than $1,500,000. A member of a "machine" council once confessed to me in a burst of confidence that the amount of money saved to the people of Los Angeles through the fear of the recall, was, to use his expression, "incalculable." He said "the boys fear it and hate it venomously."

As moral safeguards, the people of Los Angeles value these provisions as highly as when used for financial protection. Under the Harper administration, the people not only considered that their property interests were menaced, but what was much worse, their children were threatened with demoralization through the wide open maintenance of establishments of vice. The people were not compelled to wait for the expiration of the official's term; they were not compelled to take the matter into the courts for an indefinite period of litigation. They found that their affairs had fallen into unworthy hands; possessing the power of the recall, they discharged their unsatisfactory servant and cleaned house.

"Do the people act wisely?" They do. Of the seventeen measures placed upon the ballot by petition, I can think of but one case, as I look back upon them, in which I feel sure that a mistake was made. The superiority of the people in the wisdom and sanity of their decisions over the acts of representative assemblies, can only be explained by remembering that the people decide perhaps seventeen questions in nine years, and that in each case the individual voter has considered a few questions for months, and votes upon these few in the quiet of his booth alone; while the ordinary legislator often votes upon scores of questions at a single sitting, amid tumult and uproar, the appeal to party passion and to his private pocketbook.

It is sometimes objected to these provisions that they are but mechanisms: as if improved machinery in the affairs of government were not as important as in commerce and manufactures. It is said that the forms of government that were good enough for Washington and Lincoln are good enough for us, assuming that because Washington used the stage coach and ox-cart in his day, that he would, if living today, decline to avail himself of the advantages of the steam railway and the electric telegraph. The best there is is none too good for the American people in government as well as in industry.

Another charge is that few people vote on measures and that therefore such legislation constitutes government by the minority. So far as the experience of Los Angeles is concerned, this claim is not borne out by the facts. The percentage of votes cast for measures as compared with votes cast for elective officials is high, and steadily growing higher. In the general election of 1909 the average vote cast for initiatory and referendary measures was 27,354; the vote cast for all candidates for mayor was 37,255. The vote for direct measures, therefore, was 73 per cent of that cast for mayor. This is a high percentage, especially when we remember that the vote for mayor almost always greatly exceeds that cast for other offices. In 1911, however, when with a larger population and because of an unprecedentedly bitter campaign, the vote cast for mayor had risen to 137,255, the people did not neglect the measures submitted on the same ballot and we find the average vote upon these initiatory and referendary measures to be 109,255, or 79 per cent of the vote cast for mayor.

It seems clear that the people are interested in these measures; but supposing it to be true that on account of popular indifference, measures are sometimes passed by an actual minority of the total electorate, would it be either wise or just to disfranchise the active and conscientious portion of our citizenship because of the neglect of the franchise by the lazy and indifferent element? And if we did so, we could not limit the principle simply to direct legislation. Officials are elected every day by minorities of the total electorate. Mayor Harper, before the adoption of the primary system in our city, was elected by about one-third of the vote cast. Even

at our last primary election had the mayoralty candidate receiving the highest vote secured a vote equivalent to one-fourth of the total registered vote, or a trifle more, he would have received a majority ballot and the election to the mayor's chair without a second election. If direct legislation is to be done away with because popular indifference sometimes permits the settlement of measures by a minority of the electorate; by the same token popular election of officials and representatives and all popular government whatsoever will also be abolished from the earth.

Friends of direct legislation do not, of course, consider these provisions perfect in their present form, even when considered with reference to their special adaptations to local needs. Time develops weaknesses and changing conditions bring the necessity for corresponding changes in the character of these elements of our government. One fault that has manifested itself in our city has been the tendency to remove the acts of the council from the operation of the council by passing important ordinances as "emergency" acts, not subject to the thirty-day delay allowed for the filing of referendum petitions. In one instance, in December, 1906, the Municipal League carried an ordinance, favored by the saloons and passed by the council under the "emergency" clause to the courts and secured an injunction against the council forbidding the use of the emergency clause in that case. The ordinance was thereupon dropped by the council. No other emergency ordinances have been taken before the courts, so that the experience of Los Angeles is too limited to show whether the courts will provide sufficient protection against the abuse by the council of their power of withholding ordinances from the operation of the referendum by passing them under the emergency clause.

Another difficulty which has not been in evidence in Los Angeles; but which, it is claimed, has been met with elsewhere, is the possibility of the submission of contradictory and ambiguous measures to the people. This is a difficulty by no means peculiar to direct legislation. The mills of the courts are kept ever busy grinding out interpretations of the contradictory and ambiguous statutes enacted by our representative assemblies. In Los Angeles the promoters of direct measures have as a rule been careful to secure competent legal assistance in drawing up their measures, and in one instance—that of the location of a slaughter-house district where four measures were submitted—the people with keen judgment selected the best one. Nevertheless it might be a wise thing to make it a part of the city attorney's duty, when requested, to assist promoters of popular measures in securing clearness and harmony in the text of their measures.

Allow me to emphasize one lesson in particular that the experience of Los Angeles teaches: *Do not place the percentages required for petitions high.* To be effective they must be available. Our experience has shown conclusively that there is no danger of their being used too often, and the very

fact that they are always ready for use will exert such a wholesome influence on public servants that their actual use will be found seldom necessary.

The people of Los Angeles are well satisfied with the workings of these provisions which have almost without exception proven wise and truly conservative. This city is so wedded through her experience in the case of one of them, the recall, that the percentage has been lowered from 25 per cent to 20 per cent, and in the new charter it is proposed to reduce the percentage to 15. Los Angeles is so wedded to these provisions, that if the most noted experts of the world, after careful deliberation were to submit to the people of Los Angeles a new charter—and as you know, we are now preparing one—and should omit from its provisions the initiative, referendum or recall, or any one of them, it would be overwhelmingly defeated by the people.

In the past when corporation-controlled councils refused the people direct primaries, refused them a utilities commission, refused them new charters suited to the city's growing needs, and refused the people an opportunity to vote upon these matters, then it was that the people through the power of the initiative which they possessed, brushed aside their servants who had assumed to themselves the character of bosses, and enacted their sovereign will into law. By means of these provisions the people of Los Angeles have, and practice, the right of self-government.

I have dwelt at some length upon the experience of Los Angeles and shall but briefly refer to the experience of other cities of this and other states.

In San Bernardino, California, in the seven years of its operation the recall has been used once, in which case two councilmen were recalled for letting a public printing contract to a firm not the lowest bidder.

In Colton, California, three members of the board of trustees were recalled because they had voted unauthorized expenditures, and had refused to grant liquor licenses.

In Santa Monica, California, under threat of the recall, an official resigned.

In San Diego, California, a councilman managed to delay recall proceedings against him in the courts until the expiration of his term.

In Richmond, California, a recall election affected the seats of six councilmen; the incumbents were retained in office.

In Berkeley, a recall election was held to recall a councilman and two school directors; the incumbents were retained in office.[2]

The initiative has been used in California towns thus in Santa Monica once, once in Riverside, once in Fresno. The referendum has been used twice in Santa Barbara.

The cities of Seattle and Tacoma, Washington, have each recalled a mayor. In Everett, Washington, a councilman was recalled for his action

[2] I think these officials belonged to the Socialist party.—C. R. W.

in regard to a franchise. In Estacada, Washington, all the elective officials with the exception of the recorder were recalled, as it was charged, of gross mismanagement of the people's business.

In Junction City, Oregon, the mayor was recalled by a vote of 4 to 1.

In Dallas, Texas, two school directors were recalled in 1911.

In Des Moines, Iowa, three commissioners conspired to appoint a certain man to the police marshalship in accordance with a preëlection bargain. Threatened recall proceedings, however, caused them to drop their scheme and appoint a man to the office who held the public confidence. On another occasion, a police superintendent of that city was visited by a committee representing the gambling interests and threatened with recall unless he agreed to permit the reëstablishment of slot machines. He immediately informed the newspapers and the resulting publicity rendered futile any further talk of the recall.

In the city of San Francisco neither the recall nor the referendum has ever been used, although the percentage required for the recall is only 10 per cent. The initiative has been used six times since its adoption in 1900. A special election upon an ordinance initiated by the pool sellers was held in the year in which the provision was adopted. The ordinance was defeated by the people. In 1907 the liquor dealers initiated an ordinance which was also defeated. In 1908 one J. J. Egan when refused a street-railway franchise by the board of supervisors, attempted through the initiative to secure one from the people, but it was defeated at the polls. In 1910, 38 charter amendments were submitted; 18 by the people and 20 by the board of supervisors; of these 18 carried at the polls. In a special election held March, 1912, two ordinances were submitted through the initiative. The object of both ordinances was the acquisition by the city of the plant of the Home Telephone Company. The propositions carried by a vote of more than two to one; but owing to defects in their wording, the city attorney ruled that they were inoperative. The supervisors, however, have ruled that the ballot cast for the measures constitutes a popular mandate, and intend to submit the same propositions under a new form at a later date.

I append to this paper, to show to what extent and with what intelligence the people vote, a list of all the propositions voted upon in the state since the adoption of the present California Constitution in 1879; and the city votes upon such measures in San Francisco and Los Angeles.

Initiative

	DATE FILED	CLERK'S CERTIFICATE	CLERK'S FINDING	ELECTION	RESULT
Slaughter houses	11–4–04	11–4–04	Sufficient	12– 5–04	Unlawful in city: 6360 yes, 7772 no. Unlawful 8th ward: 4182 yes, 5053 no. Unlawful 6th ward; 2256 yes, 5265 no. Unlawful except certain sections of 6th and 8th wards: 8805 yes, 4023 no.
No saloons	4–13–05	4–21–05	Sufficient	6– 2–05	8349 yes, 15487 no.
Crematories	12–26–05	1– 2–06	Insufficient		
Creating board of public utilities	10–25–09	10–29–09	Sufficient	12– 7–09	16,626 yes, 9696 no.
Dice shaking ordinance	10–27–09	11– 3–09	Insufficient		
Dice shaking ordinance amended	11– 4–09	11– 5–09	Sufficient	12– 7–09	12,637 yes, 16997 no.
Municipal newspaper	10–28–11	11– 7–11	Sufficient	12– 5–11	58,134 yes, 43937 no.
No saloons	10–30–11	11– 7–11	Sufficient	12– 5–11	32,283 yes, 88395 no.
Aqueduct investigating board	3–19–12	3–25–12	Sufficient	5–28–12	16,564 yes, 15,697 no.
Improving Pacific Avenue Harbor Boulevard	4–26–12	5– 6–12	Sufficient	5–28–12	11,412 yes, 20,415 no.

Referendum

	DATE FILED	CLERK'S CERTIFICATE	CLERK'S FINDING	ELECTION	RESULT
South Park Avenue franchise ordinance	5– 4–08	5–12–08	Sufficient	12– 7–09	10,633 yes, 15,789 no.
Dance halls	9–23–08	10– 5–08	Insufficient		
Dance halls amended	10–14–08	10–21–08	Insufficient		
Telephone rates	5– 4–09	5–14–09	Sufficient	12– 7–09	12,908 yes, 14,129 no.
Dance halls	11–16–09	11–23–09	Insufficient		
License ordinance	4–27–10	5– 4–10	Sufficient	6–30–10	16,698 yes, 9042 no.
Park salary ordinance	5–20–10	5–26–10	Insufficient		
Park salary ordinance amended	6– 4–10	6– 9–10	Insufficient		
Electric light rates	6–10–10	6–13–10	Sufficient	6–30–10	18,488 yes, 8961 no.
Groove girder rail ordinance	7–26–10	8– 5–10	Sufficient	12– 5–11	81,700 yes, 23,309 no.
Tuberculin milk test ordinance	1– 3–12	1–12–12	Sufficient	5–28–12	13,899 yes, 18,883 no.
Franchise regulating ordinance	2–29–12	3– 9–12	Sufficient	5–28–12	21,085 yes, 11,662 no.

Recall

J. P. Davenport, Council 6th ward	6–13–04	6–20–04	Sufficient	9–16–04	Davenport, 1083. Houghton, 1837.
E. P. Ford, Council 1st ward	6.11–06	6–16–06	Insufficient		
A. C. Harper, Mayor	2– 9–09	2–16–09	Sufficient	3–26–09	Wheeler, 12,384. Alexander, 14,062.

Referendum in California

Official returns of votes on constitutional and legislative acts referred to the people for ratification, also on propositions submitted to popular vote, from the adoption of the constitution of 1879. (Wherever possible the real purpose, rather than the official title, of the measure is given):

	YES	NO	TOTAL* BALLOTS CAST
May 7, 1879. New constitution	77,959	67,134	
September 3, 1879. Proposition:			
Approving Chinese immigration	883	154,638	160,233
November 4, 1884. Constitutional amendments			196,704
Repealing provision that street improvement funds should be collected in advance	149,285	7,363	
State board of education to compile and publish text books	143,017	11,930	
Providing that assessment of mortgages, money or solvent credits shall not be raised above face value	128,371	27,934	
November 2, 1886. Constitutional amendment			195,292
Imposing a 2 per cent gross income tax on railroads, and exempting them from other taxation	9,992	123,173	
April 12, 1887. Constitutional amendments:			
Ratifying establishment of the supreme court commission and making chief justice elective by court on expiration of term of incumbent	29,349	41,367	
Ratifying establishment of the supreme court commission and making chief justice immediately elective by court	27,659	43,205	
Extending power of framing charters to cities of 10,000 inhabitants	37,791	34,156	
1890. Constitutional amendment			252,457
S. C. A. No. 6—Extending power of framing charters to cities between 10,000 and 3500 inhabitants	114,617	42,076	
1892. Propositions			269,585
The election of United States senators by the people	187,958	13,342	
Approving $600,000 bond issue for San Francisco ferry building	91,296	90,430	
Should there be an educational qualification for voters?	151,320	41,059	
Shall the state debt be refunded?	79,900	85,604	
Constitutional amendments:			
S. C. A. No. 10—Extending sessions of legislature from 60 to 100 days	36,442	153,831	
A. C. A. No. 7—Extending period for redemption of bonds from 20 to 40 years	108,942	59,548	

* The total gives the highest number of ballots cast at the election and includes those not voting on submitted measures.

	YES	NO	TOTAL BALLOTS CAST
S. C. A. No. 11—Increasing duties and salary of lieutenant-governor and removing the $1600 limit on the pay of clerks	43,456	128,743	
S. C. A. No. 5—Making void any expenditure in excess of appropriation, except with the consent of a majority of the state board of examiners, and permitting a deficiency bill to contain more than one item	69,286	87,708	
S. C. A. No. 14—Revising the power of adopting charters in cities of more than 3500 inhabitants	114,617	42,076	
November 6, 1894. Constitutional amendments			284,548
A. C. A. No. 8—Establishing an educational qualification for voters	170,113	32,281	
S. C. A. No. 14—Providing that new counties shall be formed under general laws	140,713	44,824	
A. C. A. No. 7—Exempting fruit and nut-bearing trees under the age of three years from taxation	147,002	48,153	
A. C. A. No. 12—Authorizing the legislature to provide for the disposition of real estate acquired by aliens by descent or devise	119,309	56,805	
S. C. A. No. 7—Increasing the membership of the state board of equalization	86,777	88,605	
S. C. A. No. 17—Striking out the provision that in consolidated cities and counties of more than 100,000 population there should be two boards of supervisors	106,768	62,425	
S. C. A. No. 16—Exempting free public libraries and free museums from taxation	135,741	46,338	
A. C. A. No. 31—Adding the president of the University and professor of pedagogy therein to the state board of education	98,676	77,295	
S. C. A. No. 20—Increasing pay of legislators to $1000 for each session	45,675	146,680	
1896. Constitutional amendments			299,788
A. C. A. No. 11—Granting suffrage to women	110,353	137,099	
A. C. A. No. 19—Limiting liability of stockholders	78,886	121,773	
A. C. A. No. 33—Repealing the mortgage tax	82,609	109,433	
S. C. A. No. 8—Permitting the use of voting machines	63,620	158,093	
S. C. A. No. 25—Exempting cities adopting free holders' charters from general laws in municipal affairs	101,587	74,353	
S. C. A. No. 13—Granting cities power to govern police courts, boards of election, and, in consolidated cities and counties, the county officers	99,888	74,906	
1898. Constitutional amendments			287,055
S. C. A. No. 41—Permitting payment of claims against San Francisco and Vallejo	54,013	90,602	

	YES	NO	TOTAL BALLOTS CAST
S. C. A. No. 10—Authorizing counties to frame their own county government acts	74,816	75,037	
S. C. A. No. 44—Providing for the creation of a court of claims	69,232	75,695	
A. C. A. No. 37—Exempting San Francisco from legislation in regard to county governments	61,843	76,128	
A. C. A. No. 36—Removing disqualification of lieutenant-governor of holding any other office, also providing that the president *pro tem.* of the Senate succeeds after the lieutenant-governor in case of death or disability	79,748	66,260	
A. C. A. No. 38—Authorizing the legislature to raise taxes for the support of high schools and technical schools	56,726	85,712	
A. C. A. No. 34—Providing for divided sessions of the legislature and extension of session from 60 to 75 days	63,195	81,269	
Proposition: For convention to revise the constitution	42,566	65,007	
November 6, 1900. Constitutional amendments			303,874
A. C. A. No. 6—Exempting church property from taxation	115,851	102,564	
A. C. A. No. 23—Exempting Stanford University from taxation	137,607	67,737	
A. C. A. No. 14—Exempting California School of Mechanical Arts from taxation	111,892	70,264	
S. C. A. No. 14—Exempting state and local bonds from taxation	75,280	92,923	
S. C. A. No. 4—Authorizing laws regulating primary elections	106,733	51,519	
S. C. A. No. 9—Raising the salaries of judges	60,754	85,472	
S. C. A. No. 15—Permitting San Francisco and Vallejo to pay certain debts	85,461	62,993	
S. C. A. No. 22—Establishing district courts of appeal	69,997	79,354	
November 4, 1902. Constitutional amendments			304,473
S. C. A. No. 4—Authorizing tax for high schools and technical schools	89,947	60,861	
S. C. A. No. 18—Authorizing division of the state into fish and game districts	88,622	54,930	
S. C. A. No. 3—Exempting state and local bonds from taxation	74,526	66,132	
S. C. A. No. 6—Permitting amendments to city charters to be submitted by petition	70,748	53,182	
A. C. A. No. 25—Eight-hour law on public work	114,972	33,752	
S. C. A. No. 14—Permitting use of voting machines	83,966	43,127	

	YES	NO	TOTAL BALLOTS CAST
S. C. A. No. 20—Authorizing appropriations for state highways	78,479	59,632	
A. C. A. No. 28—Establishing a state public service commission	31,474	118,791	
S. C. A. No. 13—Abolishing the grand juries	56,222	72,153	
November 8, 1904			331,871
Act authorizing $2,000,000 bond issue for San Francisco sea-wall	119,416	26,835	
Constitutional amendments:			
S. C. A. No. 2—Establishing district courts of appeal	93,306	36,277	
S. C. A. No. 4—Exempting property of California Academy of Sciences from taxation	73,207	62,275	
S. C. A. No. 11—Exempting shipping from taxation	48,983	81,857	
S. C. A. No. 20—Extending sessions of the legislature from 60 to 80 days	62,792	63,983	
A. C. A. No. 17—Exempting $100 of personal property from taxation	74,437	45,221	
A. C. A. No. 26—Permitting adoption of codes in bulk	59,050	59,933	
November 6, 1906. Constitutional amendments			312,030
A. C. A. No. 5—Exempting Cogswell Polytechnic College from taxation	65,250	43,327	
A. C. A. No. 11—Raising the salaries of the justices of the supreme court and district court of appeal	50,957	49,905	
A. C. A. No. 12—Raising the salaries of the state officers	31,063	71,435	
A. C. A. No. 13—Making public bonds payable at any place	69,305	32,384	
A. C. A. No. 14—Permitting charter cities to frame new charters	49,327	48,391	
S. C. A. No. 2—Exempting officers of charter cities from the four years' limitation on term of office.	53,307	43,200	
S. C. A. No. 14—Raising the salary of the lieutenant-governor	31,556	64,944	
S. C. A. No. 20—Permitting renewals of corporation franchises	37,098	65,982	
S. C. A. No. 38—Permitting deposits of public funds in bank	62,767	35,213	
S. C. A. No. 40—Raising the pay of legislators to $1000 per session and limiting expense of attachés	37,360	57,785	
A. C. A. No. 2—Permitting San Francisco to acquire and dispose of streets and parks	35,649	58,042	
S. C. A. No. 2—Permitting San Francisco and San José to amend their charters without ratification by the legislature	31,867	58,254	

	YES	NO	TOTAL BALLOTS CAST
S. C. A. No. 8—Permitting borrowers to contract to pay the mortgage tax	54,894	39,876	
S. C. A. No. 12—Permitting San Francisco, San José and Santa Clara to issue 75-year bonds	48,221	43,629	
November 3, 1908. Constitutional amendments			386,597
S. C. A. No. 1—Separating state and local taxation	87,977	114,104	
S. C. A. No. 14—Raising the pay of state officers	92,558	92,556	
S. C. A. No. 16—Raising pay of legislators to $1000 per session and limiting expense of attachés	116,600	68,902	
S. C. A. No. 26—Abolishing mortgage tax	90,061	90,896	
S. C. A. No. 29—Extending time of maturity of state bonds from 20 to 75 years	97,237	63,465	
S. C. A. No. 31—Authorizing renewal of franchise of corporations	115,412	81,849	
S. C. A. No. 32—Limiting expense of legislative employees	135,113	48,144	
S. C. A. No. 33—Limiting liability of stockholders in world fairs	103,025	70,575	
*S. C. A. No. 34—Authorizing sales of stock for future delivery	96,235	84,778	
A. C. A. No. 3—Authorizing the legislature to pass a direct primary law	152,853	46,772	
A. C. A. No. 7—Permitting the legislature to regulate fees of officers and pay of jurors	107,244	69,479	
A. C. A. No. 8—Including evening schools and kindergartens in the state school system	97,763	87,584	
A. C. A. No. 24—Changing method of selecting the state board of education	67,497	107,613	
A. C. A. No. 28—Extending time for approval of bills after legislature adjourns from 10 to 30 days	122,362	50,979	
Referred acts:			
To remove capital from Sacramento to Berkeley	87,378	165,630	
Authorizing $2,000,000 bond issue for San Francisco sea-wall	92,532	96,963	
Authorizing bond issue for the purchase of India Basin	84,526	105,478	
November 8, 1910. Constitutional amendments			385,607
S. C. A. No. 1—Separation of state and local taxation	104,850	96,493	
S. C. A. No. 11—Abolishing the mortgage tax	118,927	79,435	
S. C. A. No. 36—Permitting extra sessions of the superior court	121,997	44,138	
S. C. A. No. 38—Changing county boundary lines by general laws	96,607	78,808	
S. C. A. No. 44—Classifying cities and towns by population for purposes of regulating banking	118,970	48,583	

*This amendment was submitted under the title "forbidding lotteries and fictitious sales of stock."

	YES	NO	TOTAL BALLOTS CAST
S. C. A. No. 52—Appropriating $5,000,000 for the Panama-Pacific Exposition	174,513	50,857	
A. C. A. No. 14—Reserving the right to fish on public lands	167,869	27,577	
A. C. A. No. 33—Authorizing San Francisco to amend its charter to raise $5,000,000 for the Panama-Pacific Exposition	180,043	34,723	
Referred acts:			
Authorizing a $9,000,000 bond issue of San Francisco harbor	130,115	41,831	
Authorizing $18,000,000 bond issue for state highways	93,297	80,509	
Authorizing purchase of India Basin ($1,000,000)	103,051	65,897	
Authorizing $2,000,000 bond issue on San Diego sea-wall	117,814	64,649	

Votes on amendments to the state constitution of California submitted to the people, October 10, 1911

	FOR	AGAINST	MAJORITY
1. State inspection of weights and measures	165,881	53,668	112,213
2. Empowering counties to adopt charters	130,823	76,177	54,651
3. Dividing sessions of the legislature	127,794	79,348	48,446
4. Granting suffrage to women	125,037	121,450	3,587
5. Granting logging roads rights of eminent domain and making them common carriers	141,436	58,105	83,331
6. Providing requirements for framing and amending city charters	120,905	77,499	43,406
7. Establishing the initiative and referendum	168,744	52,093	116,651
8. Establishing recall of elected officials	178,115	53,755	124,360
9. Forbidding reversals in criminal cases on technicalities	158,549	53,958	104,591
10. Authorizing compulsory workmen's compensation law	147,567	65,255	82,312
11. Exempting civil service employees from 4 years limit	133,747	60,031	73,716
12. Giving railroad commission power to fix rates of public service corporations	140,146	72,283	67,863
13. Giving cities complete powers over police courts, etc	132,634	64,790	67,844
14. Authorizing cities to own and operate utilities	133,411	64,221	69,190
15. Prohibiting change of school books oftener than 4 years	168,010	43,943	124,067
16. Making railroad commission appointive and increase number	133,746	72,240	57,506

	FOR	AGAINST	MAJORITY
17. Permitting elections by majority vote to cities and counties	137,156	59,042	78,114
18. Giving legislature power to abolish justices of the peace	104,105	98,923	5,182
19. Authorizing peace officers and railroad commission to accept passes	100,014	106,146	6,132
20. Making clerk of supreme court appointive	122,751	79,284	43,467
21. Giving legislature power to impeach judges district court appeals	157,596	49,345	108,251
22. Giving war veterans $1000 tax exemption	106,554	96,891	9,663
23. Enlarging powers of railroad commission	144,205	63,380	80,825

Comparison of Votes

YEAR	TOTAL VOTE	HIGHEST VOTE ON REFERRED MEASURE	PER CENT OF TOTAL	LOWEST VOTE ON REFERRED MEASURE	PER CENT OF TOTAL
1879—May 7	145,093	145,093			
1879—September 3	160,233	155,521	97.06		
1884	196,704	156,648	79.63	154,947	78.77
1886	195,292	133,165	68.18		
1887	(*)	71,947		70,716	
1890	252,457	156,693	62.06		
1892	269,585	201,300	74.66	156,693	58.12
1894	284,548	202,394	71.13	169,193	59.47
1896	299,788	247,452	82.54	174,794	58.31
1898	287,055	149,853	52.21	107,573	37.47
1900	303,874	218,415	71.87	146,226	48.12
1902	304,473	150,265	49.31	123.930	40.73
1904	331,871	146,251	44.06	118,983	35.85
1906	312,030	108,577	34.80	90,121	28.88
1908	386,597	253,008	65.44	150,702	38.98
1910	385,607	225,370	58.44	166,135	43.08

* Special election for amendments. Records of total not kept. Probably same as highest vote.

*Status of the Initiative and Referendum**

Analytical table showing the progress of the movement in the United States with the various provisions made for the three most vital elements of an amendment, viz.: the majority required to enact a measure, the size of petitions and the right to propose constitutional amendments by initiative

STATE AND DATE OF ADOPTION	PER CENT SIGNATURES, REFERENDUM	PER CENT SIGNATURES, INITIATIVE	MEASURES ADOPTED BY THE MAJORITY OF THE VOTES CAST	DO PEOPLE HAVE THE CONSTITUTIONAL INITIATIVE? PER CENT GIVEN FOR PETITION	VOTING STRENGTH OF THE STATE, 1910
1898, South Dakota	5	5	Not specified	No	105,801
1900, Utah				No	108,598
1902 Oregon	5	8	Thereon	Yes, 8	117,690
1905, Nevada (referendum only)	10		In election	Yes	20,626
1906, Montana	5	8	Not specified	No	68,186
1907, Oklahoma	5	8	Referendum thereon		
			Initiative election	Yes, 15	257,240
1908, Maine	10,000 voters	12,000 voters	Thereon	No	141,031
1908, Missouri	5	5 (reduce from 8 by law)	Thereon	Yes	715,717
1910, Arkansas	5	8	Thereon	Yes	159,412
1910, Colorado	5	8	Thereon	Yes	206,214
1911, States in which legislatures have submitted amendments to April 1:					
California	5	5 and 8	Thereon	Yes	385,652
Washington	6	10	Thereon	No	176,141
Nebraska	10	10	Thereon 35% "yes"	Yes, 15	236,673
North Dakota	5	8	Thereon	Yes, 8	92,018
Wyoming	25	25	In election	Yes, 25	37,926
Nevada (initiative)	10	10	Thereon	Yes, 10	20,626
Wisconsin	8	8	Thereon	Yes, 10	450,000
Idaho	General provision for referendum	No details		No	86,159

*This note prepared by George Judson King shows the present status of the movement for the initiative and the referendum. To this should be added the Ohio amendments providing for the initiative and referendum adopted at the special election, September 3, 1912.

THE WORK OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES[1]

BY H. A. MASON

San Francisco

ONE of the great questions confronting all students of municipal administration is: How can we develop a class of trained officials for our cities and towns, who will bring to the administration of our local affairs a practical knowledge of the things necessary to insure the highest degree of efficiency?

In every one of our local communities we have an abundance of raw material out of which may be made officials more or less expert, men (and women) intelligent and honest, earnest, and eager to render public service, yet ignorant of the best methods to pursue to accomplish the highest results. The problem, therefore, is how to shape this raw material into a finished product that will serve the public needs in the way of educated officials, educated in the special business of municipal administration.

We have found comparatively little difficulty here in California in securing the election of a fairly high class of public officials. This is due to the fact that we have absolutely non-partisan elections and have succeeded in eliminating the political boss from our municipal affairs.

We have, therefore, secured the foundation upon which to build a system of municipal administration by trained officials, and even now are engaged in introducing an educational system so that these officials may eventually become trained to the efficient discharge of their public duties.

The first requisite is to secure long terms for our public officials. We cannot train a man in a year or two years. Nearly all of our elected officials now hold for four years and some for six. We are gradually reducing the number of elective officers and making administrative officers appointive to serve during good behavior or under a merit system. Thus we provide sufficient time for an official to train himself if he possesses the necessary ambition. As one of the means employed to furnish the training of officials comes the work of the League of California Municipalities.

This association was found in December, 1898, nearly fourteen years ago.

At that time there were about one hundred incorporated cities and towns in the state and the idea was suggested to the mayor of a small town near San Francisco that it would be a good idea to have an organization of city

[1] Read at the Los Angeles meeting of the National Municipal League. Mr. Mason has been secretary of the League of California Municipalities since its organization and has been the chief factor in its success.—EDITOR.

officials that they might talk over the problems of municipal management, exchange their experiences and compare methods for doing the various classes of municipal work. Circulars were sent out to the mayors of these cities seeking their views as to the desirability of such an organization.

The idea proved to be an attractive one to many mayors, and as a result a meeting was called and the League of California Municipalities was organized with thirteen cities represented by twenty-nine officials in attendance. James D. Phelan, then mayor of San Francisco, was the first president and the writer was elected the secretary, a position he still holds.

The League now has one hundred and fifty cities and towns on its membership list, and its last annual convention was attended by three hundred and fifty officials and others interested in municipal subjects.

We maintain that the annual contention of the League is a valuable school for municipal officials. It is the only direct means by which municipal officials may learn improved methods of performing the different kinds of municipal work, the best practice in administering local affairs, how various problems may be effectively solved, and how to avoid extravagances and failures.

We have ever tried to have the subjects treated in a practical way, avoiding as much as possible the academic form. For example: Instead of discussing municipal ownership as a question of economics we invite discussion of "Experiences of cities with the municipal operation of water works, lighting systems, etc." In this way the successful operation of public utilities is emphasized and such towns as may not be wholly successful in such operations are stimulated to better endeavor.

Perhaps no better illustration of the scope of the discussions at our conventions can be given than to present the list of subjects considered at our last convention: "Asphaltic base oils, use of for roads and streets" (technical); "Commission form of government," presented by mayors of five cities having that form; "Corrugated iron culverts" (technical); "Recent court decisions affecting municipalities," "Municipal lighting systems," by a professor in the state university; "Financial reports of cities," by the state controller; "Fire and building ordinances;" "New idea in fire department buildings;" "Municipal franchises under the new constitutional amendment;" "Garbage disposal," two papers, one for small towns and one for large cities; "Experts in municipal administration;" "Importance of sewage disposal;" "Reform in taxation;" "Sterilization of water supplies;" "Manufacture and use of vitrified sewer pipe;" "Suggestions for amending the purity of election laws;" "Street paving methods." Besides there were informal discussions on a variety of topics.

The California League includes in its organization all municipal officials and at its conventions it resolves itself into separate departments. The

clerks, auditors and assessors have a separate meeting for discussing accounting and kindred topics. City attorneys have their department for the discussion of legal questions. The engineers and street superintendents discuss their special problems among themselves. The League as a whole also has a meeting during a portion of each day.

In addition to this the State Health Officers Association holds its annual meeting at the same time and place, and one joint meeting is held where some phase of municipal sanitation is the main subject presented.

Two years ago we added another feature to our annual meeting, a municipal exhibition. Here is exhibited the appliances and apparatus used in the performance of municipal work. At this exposition the municipal official may familiarize himself with modern municipal machinery, and this has the same relative value to a municipal official that an exhibition of farm machinery has to a farmer. It is conducive of efficiency. During the first years of the League we held three-day sessions; now we consume a week. We aim to make that week as educational as possible. It may be likened to a university "short course series" in municipal administration. We aim to furnish instruction by experts. Those who prepare papers are selected with a view to obtaining men "who know what they are talking about." It is unfortunate for the speaker if he does not. The quizzing that he would receive would demonstrate his incapacity.

Speaking of short courses in connection with university work, leads me to state that our next convention is to be held at Berkeley, the seat of our state university. We propose at that time to impress our university professors with the importance of providing for municipal officers some sort of a short lecture course in connection with their curriculum.

In addition to the formal discussions at the opening meetings, the bringing together of a body of men engaged in public work promotes discussion of municipal affairs. During the recesses, at meal times, wherever and whenever two or more men meet the discussions are continued and extended. Everybody "talks shop." If you could attend one of these conventions, you would be amazed at the exclusion of private affairs from the conversation about you. It argues well that so many men can lay aside, so completely as these men do, their private interest and center their entire thought on public welfare.

We found at the outset of the League's existence that if we were to maintain continuous interest in work, a publication of some kind would be necessary. Before the end of the first year the monthly publication, *California Municipalities,* afterwards *Pacific Municipalities,* was issued and is still serving the purpose of giving to the city officials of the state an epitome of the news affecting municipalities and timely articles concerning municipal affairs.

This publication is sent free to the principal officers of cities belonging

to the League. This is in itself a means of transmitting knowledge and serves to educate the officials that they may serve the public better.

The League also maintains a bureau of information. City officials can ask for information and it is furnished or may ask questions which are answered in most cases. Here are kept copies of ordinances, specifications relating to public work, legal opinions, pamphlets, general literature connected with municipal affairs. This service is of special value to the smaller towns and is availed of extensively.

I trust that I have said enough to convince you that the League of California Municipalities is a valuable educational institution, spreading the light of knowledge, not particularly in dark places, but seeking to illumine the path of progress sought by every one who is interested in public affairs. Your president, in his opening address, has emphasized the necessity of seeking the aid of experts in the administration of municipal affairs. We must have them, and if every officer can be trained specially to discharge public duties the perfection of municipal government would be quickly secured. But we cannot find trained men in sufficient numbers to fill every office. As long as we elect our officials, men ignorant of their public duties will be chosen to fill offices of public trust. Any means that will impart to these men a greater knowledge of the things they should know, ought to be welcomed and made use of. I have nothing better to suggest in this line than an organization like the League of California Municipalities.

In addition to exercising an educational function, the League has performed some noteworthy work in bettering conditions for the administration of municipal affairs.

It has concerned itself very largely in matters of legislation. The main objects in view in the enactment of laws have been: (1) To secure more and more power to the municipalities. (2) To simplify procedure, and conversely to oppose any threatened legislation that violated these principles.

At every session of the legislature a representative of the League has been in almost constant attendance. We have been fortunate in having active supporters for all measures in each house of the legislature and by the use of diplomacy have succeeded in passing nearly all of our measures.

Among the important ones may be enumerated acts: Simplifying the procedure for issuing municipal bonds; Lengthening the terms of municipal officers; Providing methods by which public libraries may be established in every incorporated town; Providing two complete alternative measures for the improvement of streets by special assessments, known as the Improvement Acts of 1901 and 1911; Decreasing the number of elective officers and making them appointive; Exempting municipal bonds from taxation; Providing an optional form of commission government for the smaller towns; Providing for a system of reports from municipalities. This last named measure was secured only after several years of agitation.

Almost from its inception, the League resolved upon improved systems of accounting. We endeavored first to secure a uniform system by the voluntary action of the city officials, and made but very little progress. We finally reached the conclusion that if we could secure a uniform system of annual reports, a uniform accounting system would naturally be adopted, because in getting uniform results uniformity of methods would naturally suggest themselves.

It was necessary therefore to vest in some central authority the power to require annual reports of the financial transactions of every municipality. We were fortunate in having a state controller (Hon. A. B. Nye) who was in full sympathy with this reform. He took hold of the matter in earnest and without legislation and without increase of his office force undertook to secure the financial reports. He prepared at first very simple forms and sent them to each city and town. As the subject had been discussed at our annual conventions many of the auditors knew what was coming and as a result nearly two-thirds of the cities furnished the information desired and the controller in his biennial report in 1908 presented a fairly good exhibit of municipal expenditures.

In 1909 a bill was presented to the legislature requiring all cities to make reports to the controller in such form as he might desire and making an appropriation to enable that officer to carry out the purpose of the act. The finance committee objected to the appropriation and the bill failed of passage.

It was made, however, a sort of a political issue and in 1910 the political parties fell into the hands of progressives and declarations were made in favor of uniform systems of accounting for the state, counties and municipalities. In response to these declarations the legislature passed the necessary act, even broader than had been proposed two years before, for it included the counties within the scope of its operations as well as the cities and towns. Last year the controller employed assistance in preparing forms and tabulating the statistics and issued in pamphlet form the first annual report of financial statistics of the municipalities of the state. It is the most complete report of its kind ever issued in this country and we believe that it will lead to a uniform system of accounting by the cities, towns and counties of California.

The most distressing part of our legislative duties has been to prevent vicious acts from being passed. As long as the legislature was under the control of "special interests" there were continual attempts to gain some private advantage from the municipal corporations that were subject to legislative control. When any measures appeared we could only expose them and trust to publicity to effect their defeat. Many proposed acts were thus disposed of, but once in a while a bad act was passed despite our best efforts. In 1901 the legislature proposed an amendment to the con-

stitution which practicaly deprived all municipalities of the right to operate public utilities. The League appealed to the voters to defeat it: in the campaign against it we distributed over 300,000 circulars throughout the state. The amendment was defeated by a vote of about six to one, and incidentally the member of the legislature who proposed it was retired to private life. I wish to say, that with the inauguration of a progressive legislature in 1911, there was no attempted "hold up" of the municipalities, in fact it was the first legislature in the history of the state when we felt the assurance that the interests of our cities were safe from attack.

We have also done considerable work in preparing model ordinances on a number of subjects, such as building laws and fire protection ordinances for small towns, ordinances for the collection of taxes, license ordinances.

On two occasions we united to defend several small towns in law suits where the principal involved concerned every city in the state. A New Jersey concern sought to collect a royalty on an alleged patent on the application of crude oil to the streets for the purpose of laying dust. The League raised a defense fund of $5000, engaged able patent lawyers and after a year's contest won a victory. We are now defending our cities from the demands of owners of a patent septic tank.

The special work which the League now has on hand is to secure home rule for the cities and counties of the state in the matter of taxation. Since we have home rule in the expending revenue, we believe that home rule in raising revenue is equally important. A petition is now being circulated to submit a constitutional amendment giving to the voters of the cities and counties the right to change the present system, but changes can only take place by the process of the referendum.

Professor Plehn, yesterday stated that the proposed amendment would enable cities "to tax whom they choose or exempt from taxation whom they choose." I was surprised that a university professor, usually so careful in stating facts, should make such a gross inaccuracy. The proposed amendment provides that property may be classified for purposes of taxation, or exemption from taxation, but taxes shall be uniform for each class.

While California is widely known for its progressiveness, it must not be assumed that we are all progressive. We are not unanimous. So naturally when a reform scheme is put forth, we find individuals here and there who are ready to give it the ax. The attack is usually accompanied by doleful prophecies of things that are going to happen, or *might* happen. But the things prophesied, the dire results, the sad catastrophies, somehow fail to connect. The quotation from the Harvard professor in his argument against home rule, quoted yesterday, provoked a smile from us Californians, who had heard the same thing thirty years ago, and have learned to place a value on such prophecies—a value about equal to those of the professional clairvoyant and palmist.

So do not be worried. Under home rule in taxation, we are not going to array city against city, we are not going to commercially cut throats, nor are we going to commit any crime against the fourteenth amendment. We will be rational and sane, and when we get home rule in taxation (which may not be this year or next, but will be soon), you will be able to point with pride to another of California's municipal achievements.

We feel that the League of California Municipalities has done, is doing and will continue to do valuable work in promoting the interests of the municipalities of the state and of the people who reside in them.

Whatever good we have accomplished has been the result of recognizing certain business principles in its organization and conduct. At the threshold of its organization we clearly saw that a great work could be done, but that it could not be done for nothing. That it was as impossible for the public to receive something for nothing as it was for an individual. Whatever is worth having is worth paying for was a maxim to be recognized. Moreover, there was a field for an active worker, a job for a man and he should receive pay for what he did.

So the League fixed a schedule of annual dues that would provide a fund from which would be paid a salary to the secretary, but he could not get the salary unless he demonstrated that the service he was to render was sufficiently valuable to induce the cities and towns to become and remain members of the League. These annual dues range from $10 to $60 a year, according to population and the annual revenue is now about $3000. The fact that the membership is increasing every year and that a town rarely loses its membership ought to be proof of the fact that the League of California Municipalities has justified its existence.

We have been conservative in many respects. We have heard all sides of the questions of public ownership, direct legislation, the recall, commission government, but we have never gone on record as favoring or disfavoring any of these ideas. However, we have never opposed them and probably most of our officials favor them. We recognized that there are powerful forces operating in behalf of the public good; we do not seek to obstruct any movement that promises to promote the public welfare.

There have also been policies to be avoided. The meetings of the League have not been noted for their entertainment features. We have discouraged sight-seeing trips, elaborate banquets and those things that might be called pleasures. As the expenses of those in attendance are generally paid by the cities sending their officials, we do not wish it to be said that such officials are enjoying a junketing trip at the expense of the taxpayers. On one occasion the convention declined an invitation to a banquet. Not until all the business of a meeting is concluded do we indulge in any sight-seeing. We never permit discussions of political questions nor representatives of special interests to address the convention.

I think now that I have said all that is necessary concerning the organization to which I have given the greater part of the past fourteen years, years which I regard as the best and most pleasurable of my life. The work has been most interesting and you will pardon the feeling of satisfaction with which I regard the results of my labors.

As I stated at the outset an organization of this kind is largely educational. It is valuable because its benefits reach directly to those whom we must look to to transform our municipal conditions. They are the performers, the men "on the job" who must apply the new schemes of municipal administration suggested by such an organization as this. You must look to them to give vitality to the ideas that you produce.

I believe that there should be a more intimate association of the National Municipal League with the various state organizations of municipal officials. Whenever, as a fruit of your discussions, a plan of action is produced that will improve our system of municipal administration it should be laid before a body of officers charged by law with the administration of affairs. More than likely they will welcome any suggestion you may make and give actual trial to the scheme.

Right here I wish to announce that one of the themes you have discussed at this conference will be taken up at our next annual meeting next September. I refer to the matter of excess condemnation. It is one which will appeal to the good sense of every public official and find support with every thinking private citizen.

I think that I can promise that our League will make use of your discussion of this subject, that it will appoint a committee to prepare the necessary amendment to our constitution, present it to the legislature and if submitted to the people assist in a campaign for its adoption. Similar action by the leagues of other states would produce far-reaching results.

It might possibly be wise for you as a national organization to keep a watchful eye on the workings of the various state leagues of city officials. Where they are weak strengthen them, commending if you can, such features of the California league as will produce practical results. I would also commend the Iowa league as being a most worthy body. It is organized on lines similar to that in this state.

I believe that in this work you have an engaging field. The whole country should be thoroughly organized. Your body can, if it wills to be, the parent organization in this country to whom we will look for guidance and for inspiration. Remember that our chief function is educational, that without education there is no progress, that the first great duty is to educate our municipal officials, that they may in turn transmit the knowledge and wisdom that should be theirs to that multitude of citizens who chose them for their leaders and teachers.

SOCIALISM IN CALIFORNIA MUNICIPALITIES[1]

BY IRA BROWN CROSS, PH.D.

Leland Stanford Jr. University

MANY references have been made in the papers and discussions of this Convention to a comparatively new force of increasing importance which has entered the field of national and municipal politics. That force is the Socialist movement which has grown with startling rapidity in all parts of the country during the last few years.

In 1910 the Socialists won their first important victory by carrying Milwaukee. This placed them before the nation as a force which had to be reckoned with in municipal politics. Their administration during the last two years has been watched more closely perhaps than that of the officials of any other city. In 1911, according to Professor Hoxie of the University of Chicago, the spring elections resulted in the following Socialist officials being chosen: 28 mayors, village presidents and township chairmen; 167 aldermen, councillors and village and township trustees; 15 assessors; 62 school officials; 65 connected with the administration of justice and the police, and 67 others in minor capacity. In the November elections of that year, the number of Socialist officeholders, state, county and municipal, increased from 435 to 642. Professor Hoxie concludes that the significance of this result is considerably enhanced when it is understood that in the fall of 1911 no general municipal elections took place in what previous study had indicated to be the main strongholds of Socialism, and that more than 85 per cent of these new officeholders were elected in other states which had heretofore returned few or no Socialist officials, and in municipalities new in the Socialist ranks.[2] In the July number of the NATIONAL MUNICIPAL REVIEW he brings his study up to date by announcing that there are from 1100 to 1200 Socialist officeholders in the various states of the Union.

What the future will bring forth, time alone can tell.

The ideals and activities of the local and national branches of the Socialist party are as different as those of the local and national branches of the Republican and Democratic parties where those organizations engage in local politics. Nationally the Socialist party stands for *principles*, and most of its followers vote its ticket because they believe in the desirability and inevitability of the Socialist coöperative commonwealth. At times it

[1] Dr. Cross is assistant professor of economics in the Leland Stanford Jr. University. This paper was read at the Los Angeles Meeting of the National Municipal League.

[2] R. F. Hoxie, "The Socialist Party in the November Elections," *Journal of Political Economy*, vol. 20, p. 205.

wins many votes for its presidential candidates through those who ally themselves with it because they desire to protest against the old parties. This fall will undoubtedly see many such protesting votes.

Locally the movement stands, not so much for principles, for Socialist doctrines, as for what may be termed "immediate demands," local reforms, a cleaning up of city government, the overthrow of boss and corporation rule. Very frequently the local movement likewise enlists the suffrage of those who are not Socialists, but who are eager for the enactment of local measures for social betterment.

The reform character of the local movement of the Socialists in California is clearly evidenced by the platform which they adopted in the municipal campaign in Long Beach:

The municipal ownership of all public utilities as soon as possible.
The abolition of the contract system of street work, same to be done by the city through its own department by day labor.
The readjustment of electrical rates to seven cent per kilowatt.
The readjustment of gas rates to ninety cents per thousand cubic feet.
The right of free speech and assemblage.
The building and operation of a municipal bath house.
The readjustment of telephone rates until such a time as public ownership is possible.
The arrangement of a 5-cent carfare with universal transfer good for one hour after issue.
The building of a municipal playground for children.
The encouragement of all capital investments for the promotion of all legitimate amusement devices tending towards city development.
The immediate insistence upon a lower rate of fare between this city and Los Angeles over electric lines.
Equal suffrage to all citizens over twenty-one years of age.
We stand for the strict enforcement of the present liquor ordinance.

It is also shown in another typical platform, that of the Socialists of Daly City, which was as follows:

Our candidates, unhampered by private domination, will, if elected, do their utmost to put into effect the following program:
All bond issues shall be so arranged that each measure will be voted upon separately.
The minimum wage for city employees shall be $3 per day of eight hours.
In all city work, preference shall be given to local workers at union hours and union wages.
An equitable system of taxation shall be established in place of the burdensome one now in effect.
To the end that the health of the community be safeguarded, strict sanitary measures shall be enforced and a municipal dispensary with free medical attendance established.
Merit and ability—not political pull—shall govern the appointment of all city employees.

In order to encourage both women and men to take part in city government, we shall at all times welcome the free and unrestricted use of the initiative, referendum and recall.

There is nothing so very revolutionary in either of these platforms, or for that matter in any of the socialist platforms that are drafted for use in municipal campaigns.

Another difference to be noted between the national and local Socialist movements is the very important part played by the personality and the reputation of the local candidates in winning the support of the community. Although the Socialists usually vote solely for principle, they do not forget that the ordinary voter does not, and, being acquainted by experience with the arts of the average politician, we find them nominating candidates who can win votes because they are widely and favorably known. It is this that accounts for many of the Socialist victories in municipal campaigns. It is this that accounts for their most significant victory in California, namely, the election of the mayor, one city commissioner and one member of the board of education in Berkeley.

The local movement of the Socialists is similar to the national in that it refuses to combine or work with any other party or organization. It votes the ticket straight, from top to bottom, regardless of the qualifications of the men nominated. If elected they act in office, not as individuals, relying upon their independent judgment, but as representatives of the Socialist organization, at any and all times responsible solely to that organization, and with the ever present probability of their being recalled if their acts do not win the approval of the local Socialist party members. The Socialists in municipal campaigns also stand upon their own platform, which is drafted by the organization in its capacity as the self-appointed representative of the working class, and which is not so shaped, as is frequently the case with other political organizations, that it is a close imitation of that of the leading party.

For the purposes of this discussion we are interested in the Socialist movement only as it concerns the city.

The strength of the Socialist movement in California has increased rapidly since 1908. In that year they cast 28,659 votes. In 1910 their candidate for governor polled 47,819 votes. There is no method of estimating their present following, but data gathered from municipal elections held this spring show a very decided increase over the vote of two years ago, the four cities of Oakland, Los Angeles, San Francisco and Sacramento giving the Socialist candidates over 70,000 votes.

There are many usual and some unusual means by which this increase can be accounted for. The discontent of the people, their dissatisfaction with the old parties, the high cost of living, the fight against machine and corporate influence, the long continued and forceful agitation of the Social-

ists, the circulation of Socialist periodicals and literature (the *Appeal to Reason* has over 30,000 subscribers in this state), these are some of the more ordinary reasons advanced. A matter of unusual significance was the McNamara trial. The Socialists believed it to be a conspiracy against labor, and resolved to carry the state for Socialism, hoping thereby to gain control of the executive and the judiciary. An active campaign was started, and although the McNamara trial ended in a rather spectacular manner and seriously interfered with the outcome of the Socialist campaign in Los Angeles, nevertheless the propaganda had been started throughout the state, the seed had been sown, tickets had been put up in many localities, and the result was an increased vote of startling proportions.

Thus far, however, there have been but few Socialists elected to office in California.

The most notable victory came in the election, in the spring of 1911, of the mayor, a city commissioner and a member of the board of education in the residential and educational center of Berkeley, a city of about 40,000 population. This gave them two of the five members of the board of commissioners, and two of the five members of the board of education, the Socialist commissioner as chairman of finance becoming a member of that board in accordance with the provisions of the city charter. One of the other members of this board, who was not elected as a Socialist, has lately signified her intention of joining that party, so that to all intents and purposes the Socialists have a majority of the members of the board of education.

In April, 1912, the Socialists of Daly City, a working class suburb of San Francisco with about 3000 population, succeeded in electing the city clerk and three of the five members of the board of trustees, including the mayor. This gave the Socialist majority of the board the power to choose Socialists to fill the two offices of police judge and recorder, and of town marshal. This they proceeded to do, and as a consequence Daly City is at the present time under what practically amounts to a Socialist city government, the only one in the state. The board of trustees appointed as police judge and recorder a woman who by eight votes had failed of election on the Socialist ticket as their candidate for treasurer. So far as I know she is the only woman police judge in the state.

In the late Los Angeles election the discussion of the aqueduct played an important part in the Socialist campaign against the Alexander administration. In that campaign the Socialists claimed, I know not how justly, that plans had been "secretly carried out for years . . . . which, if allowed to be consummated, would result in flowing the waters of the aqueduct upon lands owned and held by some of the most infamous exploiters of land and labor in America" (extract from the Socialist party platform). An investigation was demanded, and three men were chosen

by the administration to look into the matter. The Socialists, fearing a "whitewash," initiated an ordinance appointing five citizens as investigators, two of whom were Socialists, the remainder being the three men previously appointed. The Socialists were victorious in carrying through this bit of initiated legislation. This is their only success in Los Angeles, although I have been assured by them that they are able to exercise about as much power out of office, through the democratic provisions of the city charter, as they would in office, and in addition thereto, they are not burdened with the responsibility of administering the affairs of the city.

Other officials elected by the Socialists in the state are briefly as follows: A city commissioner in Santa Cruz; alderman, police judge, school director and two library trustees in Eureka; alderman in San Luis Obispo; alderman in San Bernardino; two school trustees in Huntington Beach, and one each in Sawtelle, Rancho, Sausalito and Neinshaw, all small places; three town officials in Niederland, again unimportant; school trustees in Jefferson township, also unimportant.

It will be noted that the Socialist victories have been, generally speaking, in outlying and unimportant places.

In no locality did the Socialist campaign resolve itself into a contest between Socialism and Capitalism. The campaigns were usually marked by a general discussion of Socialist doctrines, but almost universally the issue was one of immediate demands or projected reforms, a struggle against graft, corruption, the boss and the machine, and in favor of clean government, municipal ownership and other similar non-socialist demands. In no instance did the matter of race enter into the result as it did in Milwaukee where the German element was of such importance. In no place did the struggle between labor and capital, or the attitude of union labor, with the exception of Eureka, exert any influence in the election of Socialist officials. In Los Angeles, however, where a very bitter campaign was waged and the Socialists defeated, although polling over 50,000 votes, the lines were closely drawn between capital and labor. The Socialists expected to carry the city, and now claim that they would have done so had not the confession of the McNamara brothers, coming as it did but four days before the election, swung many votes to the opposition and also kept many from casting their ballots for either party. Eureka is a thoroughly organized union town, and the campaign in that community was waged as a working class fight.

In many instances the reputation and personality of the Socialist candidates, their sane and conservative, though progressive, platforms, as well as the unsatisfactory records of other candidates, were of deciding weight.

Socialist candidates and platforms usually acknowledged, to quote from the Daly City platform, "the inability of a purely local government to

accomplish anything material towards the overthrow of capitalism," and consequently advocated such measures of immediate relief as were suited to the needs of each locality. The platforms above quoted are typical as showing what socialism stands for in the municipal campaigns of California.

In Berkeley the victory was due to a very great extent to the magnetic personality of their candidate for mayor. That gentleman had resided in Berkeley for eleven years, was widely known as a clean, sanely progressive leader, a minister and public lecturer, a compelling orator, well educated and capable. He waged a vigorous campaign against the incumbent who was called "a machine man" although his administration of public affairs had been above reproach. The editor of a local paper had not been included in a revision of the so-called "machine" committee, and to "get even" threw the influence of his paper to the Socialists. Their candidate for mayor was elected at the primaries, and immediately went before the people campaigning in behalf of the other Socialist candidates and insisting that the voters give him a working majority in the council. One of the Socialist candidates for the council, a bicycle shop owner, had gotten through the primaries. An independent candidate had announced himself as favorable to the Socialist mayor. Both were elected by an increased majority, as was also the Socialist candidate for the board of education. Twice since then, once at a charter amendment election, and again at a recall election when an attempt was made by a discharged public school superintendent to recall the two Socialist members and the third sympathetic member of the board of education, the voters have shown by increased majorities their confidence in the Socialist administration. In none of these elections was the working class of Berkeley opposed to the middle class or the capitalist class. In fact the wealthier precincts returned just as satisfactory and in some instances more satisfactory majorities than the working class districts. In conversation with the Socialist officials of that city this fact was pointed out to me by them with evident pride. Certainly the Socialist party of Berkeley is not a very revolutionary organization, to be feared by business or the good government forces.

In Daly City the cry of machine, graft and general inefficiency of the incumbents was raised. The latter had also passed an anti-free speech ordinance to which the people objected. The Socialists had no newspaper, but made arrangements to obtain a special edition of the Oakland *World*, a weekly Socialist paper, and for five weeks previous to the election each household was supplied with copies of that paper, two pages of which contained material of local interest. Literature and speakers and a vigorous campaign resulted in the city being captured by the Socialists.

In San Bernardino the Socialist candidate for alderman was elected after having been endorsed by the Democrats. His acts in office have not

satisfied the Socialists and his recall is projected. The Socialist candidate for mayor was defeated by only six votes. The results in that city were obtained by a long campaign of education and agitation.

Generally speaking there have been no surprising results from the administration of the Socialist officeholders in this state, as was the case in Milwaukee. This is to be accounted for in the first place by there being so little that needed to be done: secondly by the Socialists usually being so greatly in the minority that nothing could be done: and lastly by the Socialists having been in office for so short a time that they have not been able to get very much done.

Berkeley's Socialist mayor and city commissioner can do very little because they are in the minority: also, because there is little to be done. Berkeley has no saloons, gambling dens or houses of prostitution. It has always had a very clean and efficient administration of city affairs. "Gown" and "Town" have mixed most satisfactorily in all municipal activities. Then too there is little that can be done. All of the public service corporations that supply Berkeley are interurban in character. Street railways, gas, telephone, electricity, water, all are furnished by corporations that also supply Alameda, Oakland and San Francisco. These cities are so bound up with each other in this regard, so closely interrelated as it were, that Berkeley cannot act independently regarding any of these matters. The Socialist officials, however, are preparing plans for a municipal lighting plant and garbage incinerator that appear likely to be adopted. They have also opened the schools in the evenings for the meetings of the citizens, they have aided in the expansion of playgrounds, and at present are looking forward to the time when they will be able to hire a social engineer. The Socialists officials are also handicapped because of lack of funds. The tax rate was limited by the charter to 65 cents but by means of a charter amendment election the Socialists have been able to raise it to $1. As a consequence of the situation which has developed in Berkeley because of the insufficiency of city revenues, the mayor has started an agitation, which is now assuming state wide proportions, looking toward the establishment of home rule in taxation. The board of education has effected a number of minor economies amounting to about $4000 a year, without in any way interfering with the efficiency of the school system.

In Daly City the Socialist board of trustees has reduced the cost of public printing by eliminating the printing of useless copies of public ordinances and documents. It has also saved the small and financially handicapped city over $200 a year in hall rent and janitor services by erecting a rough shack in which it holds its meetings and in which the other city offices are now located. It has also prevented the unnecessary expenditure of money for fire equipment by obtaining from San Francisco, for the asking, a suffi-

cient supply of hose and a fire wagon, which that city had discarded because of the installation of a high pressure system. The former board was preparing to buy these supplies from the manufacturers.

Although Oakland has no Socialist officials the situation in that city is interesting for several reasons. The commission form of government was adopted in Oakland in 1911. The Socialists had a complete ticket in the field, but came off second best, losing by about 1800 votes. The growth of the Socialist movement in that city is shown by the fact that in that election only about 850 persons registered as Socialists. At the presidential primaries this number had increased to approximately 3000. At the present moment the Socialists are attempting the recall of the mayor and the safety and public health commissioner, because of their connection with an anti-free speech fight, and also of the street commissioner on "general principles." They claim that that official is inefficient. This is the first time in the history of the recall that, to use their words, "the Socialists have attempted the recall of capitalist officials." There are some 6000 voters registered for this recall election as Socialists.

For the most part one finds the Socialist officeholder to be clean, uncorruptible, eager to "make good" and eager to administer the affairs of the city in the very best manner possible. One finds them farmers in outlying districts, and workingmen, sometimes ministers, store-keepers and professional men in the cities. Frequently they are not the most capable and efficient administrators, but this criticism applies likewise to all parties. In no place do we need efficient officials more than in our cities and in no place do we get them less frequently.

CONCLUSIONS

1. I have not been discussing the truth or the falsity of the economic or philosophical doctrines of the Socialists. They have not concerned us in this brief survey of conditions in California.

2. I have been discussing the local and not the national Socialist movement. Although both are working towards the same goal, i.e., Socialism, nevertheless the character of the two movements is greatly different. In municipal affairs the Socialists have been more directly brought face to face with current problems—and as all of us realize, responsibility tends to more sober judgment and to conservative as well as to constructive thinking. Thus far this has not been to the same extent true of the national movement.

3. The Socialist party in local politics stands for a reform program, for an extension of city activities and powers, for public ownership, for clean government, and for many other non-Socialist demands; it stands for these things just so long as they are to be carried out by the Socialist party. It

is not so many years ago that the advocacy of a social betterment program was sneered at by the Socialists as "bourgeois reform."

4. "Good government" has nothing to fear from the Socialist movement, because the *immediate* ideals of both are practically the same, although advocated from widely separated angles and propagated by widely different methods. One is a class agitation: the other is not. One hopes to accomplish better conditions for the working class, and thus indirectly for all of society: the other hopes to better the conditions of society as a whole, without laying special emphasis on the interests of any one class. Because of these and other reasons, it is impossible, and it is to be deeply regretted that such is the case, for these two forces working for social betterment to unite.

5. The cause of "efficient government" may have something to lose as the result of the Socialist victories. The latter movement differs from that of the progressive city reformers in that it opposes the commission form of government and also the direct primary.[3] It opposes the first because of the fear of centralized power, and because it believes that democracy means the election of all officials. They seem to want democracy more than they want efficiency. In this connection, however, the Socialists have already exercised their prerogative of being illogical if they so desire, for under the Socialist administration in Milwaukee, a large number of non-Socialist city experts were appointed by the mayor to aid in cleaning up that city. Such may be done elsewhere. The Socialist movement opposes the direct primary because it fears that other parties will obtain control of the Socialist organization just so soon as it becomes strong enough to attract ambitious and self-seeking politicians.

It is also suggested that by making the Socialist office holder directly responsible to the Socialist party organization, rather than to the people as a whole, and thus preventing his acting upon his independent judgment, the cause of efficient government may again be greatly handicapped.

[3] Not all Socialists oppose the commission form of government.—C. R. W.

THE ACTUAL OPERATION OF WOMAN'S SUFFRAGE IN THE PACIFIC COAST CITIES

BY MRS. CHARLES FARWELL EDSON[1]
Los Angeles

IN ANY discussion of the "Actual Operation of Woman' Suffrage in the Pacific Coast Cities," I find it will be necessary to divide the discussion into two parts—the objective and subjective results of suffrage, for they are both most interesting and most illuminating.

When one considers that democracy itself is more or less of an experiment and that in the history of government and the development of society democracy is in its infancy, how absurd it is to expect any actual results from an experiment in the extension of suffrage that only covers a period of from ten months to three years. The women of Washington were enfranchised less than three years ago, the women of California, October 10, 1911. Great things have happened since—the greatest has happened to the women themselves.

In speaking of the operation of woman suffrage, I am naturally restricted to those cities with which I have the most intimate acquaintance. In

[1] In an article in the *California Outlook* Mrs. Florence Collins Porter (one of the two women delegates to the National Republican Convention referred to by Mrs. Edson in her paper) had this to say:

"Mrs. Owen Wister, as historian of the National Municipal League, naïvely admitted in her address at the brilliant banquet given to the delegates and guests of the National Municipal League at Hotel Alexandria, that there were no ladies present at the first banquet eighteen years ago. Women have received a wide recognition since then as important factors in municipal reforms and constructive civic work.

"Civic organizations in several large cities sent women delegates to this meeting and many club-women who had attended the biennial in San Francisco came to Los Angeles for the express purpose of being present at the National Municipal League Convention. Even in states where women do not have the franchise they are actively interested and are acknowledged leaders in civic work, and that this is a step towards securing the franchise no one can doubt.

"Very naturally, the women of Los Angeles received words of praise from the visiting members. "They certainly have an unusual insight into municipal affairs," a prominent delegate was overheard to say to another prominent delegate. "If this is due to equal suffrage, I hope other states will follow California's example." Such compliments are usually taken with a grain of salt by the wise woman, but as this one wasn't made as part of a gallant toast at the banquet, or involved in a flattering personal remark, it sounds like a really, truly one. And perhaps it was because California women had to some extent fitted themselves so well for the ballot that they at last received it.

"To a Los Angeles woman has also come a more substantial compliment than the one quoted above. Heretofore, the only woman honored by an elective office in the

Los Angeles, woman's enfranchisement was coincident with the most bitterly fought municipal campaign in the history of the city. The city primaries were held September 26, 1911, Job Harriman, Socialist, receiving 19,800 votes; Mayor Alexander, Good Government, 16,600 votes out of a total of 45,000. Party feeling ran high. Both factions were afraid of the women if enfranchised. Our suffrage majority in Los Angeles was no doubt materially decreased for that reason. Some men supporting Mayor Alexander argued that the women of the laboring class would all register and vote, and as many of their acquaintances were apathetic, they believed it was inexpedient to extend the franchise. Some Socialists argued that the leisure class women were thoroughly organized in their clubs and were used to coöperating for a given end, that the working class women were unorganized, so to allow the women a vote would mean disaster to their cause. However, we did carry Los Angeles by a safe majority.

It was my opinion that women should register as they began to be interested in public questions, but wiser, more practical political methods prevailed and were most successful in influencing thousands of women to register who probably would have taken years in becoming interested in politics. A house to house canvass of registration was started, hundreds of men and women volunteering to become registration clerks, without pay. Booths and registration tables were placed on street corners, entrances to stores and churches, in hotel and theatre lobbies, in the public parks, and no woman could escape. As the campaign waxed hotter, both men and women were made to believe that the very salvation of the city depended upon their voting and getting out their friends. The papers which had most violently fought woman suffrage, now appealed to the women to "save the city." It was plain to be seen that the women's vote would decide the

National Municipal League was Miss Jane Addams, of Chicago, who has served for several years as vice-president. And now Mrs. Charles Farwell Edson of Los Angeles has been elected as the first woman to serve on the national executive council. Mrs Edson has honestly won this distinction because of the unselfish work she has given for municipal reform. As one of a committee of the Los Angeles County Medical Milk Commission, as chairman of the public health department of the California Federation of Women's Clubs, and also vice-president of the Friday Morning Club, she has been most active in a crusade for better health laws, and especially for pure milk for the city of Los Angeles. She was also one of the leaders in the state in the work for the suffrage amendment. Sufficiently aggressive to press to victory the measures she advocates, brilliant in mind and personality, and with an alertness to grapple with problems presented, Mrs. Edson will be, unquestionably, an influential member of the council. As chairman of a committee whose other members are Mrs. Owen Wister and Mrs. Rudolf Blankenburg, the latter the wife of the mayor of Philadelphia and vice-president of the General Federation of Women's Clubs, and Mr. Woodruff, the secretary of the League, Mrs. Edson will endeavor to bring before that organization the importance of coöperating more closely with the work of the National Municipal League."

election. There was from about October 14, until November 11, when the registration closed, a vast amount of work to do. The result was a registration of 83,284 women in less than a month's time, a most remarkable feat. It seemed that thousands of women became interested who had never dreamed of voting. The Woman's Progressive League, organized at that time for the purpose of electing Mayor Alexander, itself registered over 17,000 women in less than ten days. Schools were established by both sides to instruct the new voters in the method of voting. Election day came, and over 95 per cent of the registered women voted. When you consider that it was an almost forced registration, it makes it doubly remarkable.

There have been four elections in Los Angeles since October 10, 1911, the general municipal election of which I have spoken. The second, an election to annex a strip of land for park purposes. At this election in many parts of the city more women voted than men, three to one. The third, the presidential primary election, held May 14, at which only voters who had stated their affiliation with either the Republican or Democratic parties could vote. This disfranchised for the time being large numbers of women who had registered in October without stating their party affiliations, and did not understand the necessity of re-registering in 1912. Even then, although the vote was very light, women voted in some precincts in the city in larger proportion to their registration than did the men. On May 25th, of this year, a special election was held on initiative and referendary ordinances. There was a consolidation of precincts to reduce the cost of the election, that is, three precincts to one voting place. No notice was sent out with the sample ballot, as to the location of the polls, as is the custom here. This resulted in great confusion, but in spite of it all, many women went miles to vote.

The average vote in this election was about one-third of the registration. I have here a table of twelve precincts that are typical of different sections of the city. These twelve precincts were consolidated in four voting places:

Municipal election, May 28, 1912

COMBINED PRECINCT NUMBER	COMPOSED OF PRECINCT NUMBERS	REGISTRY, 1912			VOTE, MAY 28, 1912		
		Men	Women	Total	Men	Women	Total
5	10, 11, 12	690	510	1200	300	119	419
42	57, 58, 58	753	583	1336	317	177	484
68	336, 337, 340	1029	219	1248	224	27	251
85	162, 448, 449	510	660	1170	168	156	326

Number 68 is a purely working man's district, and the total vote was less than one-fifth of the registration. Probably because this is a Socialist

district. Very few women are registered in these three precincts, only 219 out of 1248, and only 27 of these voted.

Number 42 is a typical rooming house district, near Court House, the women of these precincts voting 33⅓ per cent of their registration and the men about 45 per cent.

Number 5 and number 85 are both good residential parts of the city, at extreme distances from each other. In number 5 there are 1200 registered voters, women being about 40 per cent. In this election, one-third of the total registration was voted, and one-third of these were women's votes. In 85, the total registration was 1170, 60 per cent was woman's registration. In this election a little over a 40 per cent vote was polled and 45 per cent were women's votes.

The average registration of women through the residential part of the city is 40 per cent. In some few instances, as high as 55 and 60 per cent of the whole registration. A careful study of registration and voting shows that women are voting up to their registration strength fully as well as men, especially in the uninteresting elections where there is no personal element involved.

We have no segregated vice district in Los Angeles, so, if we have that great terror of the anti-suffragist, the "bad woman," she is so generally scattered that no one knows who she is or whether or not she votes. We have never heard of her as a political factor anywhere in California.

In many of the smaller cities of California, municipal elections were held April 9. The results were very interesting, as many of the cities had before them the local prohibition of saloons as a vital issue. Many towns and cities voted "wet," many "dry."

Arcadia, for many years the home of the sporting elements, voted "dry," 95 per cent of all possible voters voting.

Newport remained "wet," the vote being 172 for saloons, 69 against, of the total vote of 257, 106 were cast by women.

Pool rooms in many places were voted non-existent, but saloons allowed to stay. This might seem strange unless one knew that pool rooms in small towns are frequently "blind pigs," a place for the illicit sale of liquor and a trap for boys. In saloons, minors are not allowed.

In Elsinore, a small town in San Diego County, there was a bitterly contested election on the saloon question. Only 6 persons failed to vote—3 men who were ill, and 3 women. It rained all day. Prohibition was defeated 3 to 2.

It was said that 60 towns voted on the saloon question on the ninth of April. I have only been able to get the report of 37. Of these, 20 voted "wet" and 17 voted "dry," some majorities being as small as two votes.

In Venice was the hardest fought and most spectacular election. This election was for city trustees, one faction wishing to keep Venice as it is,

a "one man" town, and the other side believing that one man power leads to injustice and unfairness, opposed strongly, one of the clear issues being a less wide open town. The faction in favor of stricter regulation was defeated. Women remained at the polls and worked in the pouring rain all day. Out of 1151 votes cast, 700 were women's votes. A woman was defeated as city trustee by a small vote. Local circumstances were such that the election was not typical, but showed that women can conduct a hard fought campaign, challenging votes and doing the usual things that are considered difficult and unpleasant, with dignity and ability. Social position was forgotten, women of social distinction working all day long with working girls, from the opening of the polls to the closing, the one desire of all being the election of their respective candidates.

In every town where city beautification, or street or park improvement was an issue, women voted overwhelmingly for them.

In Redondo Beach the women outvoted the men 3 to 2. In spite of this, a woman was defeated for city treasurer.

At the general municipal election in Los Angeles, held in December, the radical faction of the Prohibition party proposed an initiative ordinance prohibiting the manufacture, sale, and giving away of malt, spirituous or vinous liquors in Los Angeles. The ordinance did not have the support of the temperance people who had done the most to do away with the ills attendant on the sale of liquor. The Prohibitionists seemed to take it for granted that women were interested solely in the prohibition of the sale of liquor and were determined to force women to vote upon that issue at the very first opportunity. It was even said that the saloon element themselves aided in circulating the petition to get the requisite number of names, believing two things: first that the ordinance was so extreme it would defeat itself because of the impossibility of its enforcement, and second, because they wished to get the vote on this question before the women were largely registered. The vote was a surprise to both sides—"dry" 32,000; "wet" 88,000. Total vote cast for ordinance 120,000. The total vote cast for mayor was 137,000. The number of women voting at the election was between 75,000 and 80,000. If every "dry" vote had been a woman's, there were still about 45,000 who voted "wet." This shows the discrimination used by the women in a matter that was supposed to be the one they would be most rabid in attacking. It was really a vote of confidence in the fairness of our present regulations and the efficiency of their enforcement.

In nearly all the "wet" and "dry" elections, the local saloon situation is so complicated with other issues, that it is difficult to make an accurate analysis.

Letters from Sacramento state that at the presidential primary and city primary, a trifle of over 40 per cent of registered women voted. It was

noted that a much smaller per cent of women voted in the "dive," or lower class ward, than in the better residential parts of the city.

In San Francisco, the women's registration up to May 14 had been less than 27,000, the men's 100,000, the laboring class women hardly registering at all. This is not the women's fault altogether. The attitude of San Franciso towards all suffrage is very different from ours in the south. In San Francisco the politicians make no effort to make registration easy. Voters have to go to inaccessible places to register. There you have to go to the registration booth or clerk. Here in the south, it comes to you, with the expected result of awakened civic interest. Organizers are now at work among the working women of San Francisco, urging them to register and take up their civic responsibilities for their own protection and for the strength of their class.

In a municipal election for the voting of $5,000,000 bonds for a civic center, the women of San Francisco voted up to 90 per cent of their registration. The men voted under 50 per cent of theirs.

In San Francisco's vice district, 27 women registered who are known to be prostitutes. Of course, there is no means of knowing the registration of clandestine prostitutes. Out of a registration of 27,000 they are a negligible quantity. However, to be really consistent in our belief in democracy, there seems no reason to congratulate ourselves upon this fact, as there is no class of women who so need self-protection from the exploitation of society.

Women have seldom been candidates for political offices. In a few instances they have been candidates for city trustees, city treasurer, city clerk and for school trustees. No woman was elected to any of the first three offices, but many as school trustees, an office to which they have been eligible for years.

From the above evidence, it is apparent that women do not vote for a woman just because she is a woman. They may prefer a woman if she is the best person for the place, but the prejudice against women as political administrators is not entirely past, but will be in a few years when women have further proven their fitness for political positions. Many women have been appointed to places of power and responsibility, both in political positions and semi-civic capacities.

They have more than made good.

California elected two women to the national Republical convention. Women served upon the state and county executive committees during the primary campaign. Women were a little backward about taking a definite partisan stand during our presidential primary campaign. From all indications, three things are apparent. Women are more generally interested in municipal and civic affairs than in political partisanship. The national government and its problems look difficult, but the city is the home and its problems press constantly for solution. The city is more

personal and less complex. We will grow to these larger problems, but they seem very remote now.

Another mooted question seems settled by the California women's vote. Are women conservative or radical? They are neither. Women know that they owe nothing to the "stand pat" reactionary elements of society, and that the hope of the future is not with them. Extreme radicalism rather frightens them and they do not care to embrace anything so untried, although intellectually alluring. So, by overwhelming majorities, whenever given an opportunity, women have declared in favor of progressiveism, the safe middle ground.

California has two women on the state board of charities and correction, and a woman as one of the state directors of Exposition Park.

Women have been appointed as city clerks where vacancies had occurred, but were superseded by men at the next election. Three women were appointed on the charter revision committee of Los Angeles, but were not eligible as freeholders on account of the state law which requires that freeholders must have been qualified electors for five years previously. However, we were invited to continue our relations with the board in an advisory capacity. Many of the questions pertaining to housing, health, playgrounds, and parks were referred to us.

We heard a great deal during the suffrage campaign about the "dirty pool of politics." We California women know nothing of such a place. Our California men, with real chivalry, cleaned up our state before we invited ourselves to participate in political life. We would never have had the ballot otherwise, for under the old political régime, woman suffrage would have been fraudulently counted out.

It behooves all women fighting for suffrage to join hands with the men of their states and cities in fighting their common foe—special privilege—which is at the base of all misgovernment everywhere.

Every courtesy has been shown women at the polls and in all public offices. One does not now seem to be a nuisance or an intruder, but public officials are now anxious to serve us.

When the electorate was almost doubled by the addition of so many new voters, it necessitated doubling the voting places. A new departure was made in using churches and school houses, and in our last Los Angeles election, forty-four school houses were used and eight churches.

This is where the subjective result joins with the practical objective result. It takes little imagination to see what a splendid lesson in citizenship it is for a child to see both father and mother going to his school house to cast their votes together for the up-building of the nation: Equal in the eyes of the state and, of course, absolutely changing the status of women in the eyes of the children of the country.

There has been no confusion at the polls. No arrests have been made during election days at the polls. The women voted even more rapidly

than the men, taking their places in line and voting in turn. Election officers reported fewer women's ballots returned that were spoiled and fewer thrown out because of errors. In recent elections they have served as election officers with ability and dignity.

Los Angeles has two women police officers whose business is primarily the protection of young girls. They visit picture shows and dance halls and are a decided addition to our police force. Their business being not to arrest for crime but to prevent crime.

Women have taken a large interest in the care of the insane, especially in those who are convalescent. They sit with the lunacy commission, and eighty persons have been placed in private care who would otherwise have been sent to a public insane asylum.

Changes have been made in reformatories and asylums, not by scandalous disclosures but because intelligent, careful women had made thorough investigation and unfit heads of institutions knew enough to resign because there was power back of these investigations.

You will no doubt say that the ballot brings grave responsibilities. How are the women fitting themselves for them?

In Los Angeles, the Woman's City Club is one answer. It came into being in May, 1911, primarily to help suffrage and to prepare women for it. It was formed on the exact lines of the Men's City Club. It almost doubled its membership monthly until within six months it had a membership of one thousand women, meeting weekly at luncheon, discussing every civic, economic and political subject before the people of the city and the state.

Men have learned that they cannot go to the Woman's City Club and talk platitudes, as "What a fine body of women I see before me." They always get a most disconcerting merry laugh that brings the poor unfortunate speaker to a realization that the women expect the real thing and not empty flattery.

All of the women's clubs now have strong public affairs or civic sections, even in the smallest towns. Lecture courses have been given them on the technique of government.

The Woman's Progressive League, which organized ninety-five precincts, with captains, lieutenants and a thorough working force in less than three weeks during the mayoralty campaign, has reorganized into a nonpartisan organization and is now busy educating women how to use their new power effectively; also how to perfect a precinct and assembly district organization to control legislation in the interest of women and children.

Through the powerful State Federation of Women's Clubs, that has over 25,000 members and 318 individual clubs, legislation will be directed this coming session of the legislature to insure the passage of the following bills that have received the official endorsement of the state convention held last May: Equal guardianship of children; raising the age of consent to the age of legal majority, eighteen years in this state; some changes in the com-

munity property laws; a law to provide for a certificate of freedom from venereal diseases in their infective stages for all applicants for marriage licenses; a law to eradicate tuberculous cattle from the dairy herds of the state; an industrial home for women and a minimum wage commission.

These are the most important measures that California women will instruct their legislators to make into the organic law of the state.

In San Francisco the organized bodies of women have been of great help to the authorities in aiding the prosecution of offenders against the white slave traffic laws of the nation.

Except in a very few instances, women have not served as jurors yet, as there is a difference of opinion among legal authorities as to their right to do so. It will require an act of the legislature, which will be passed at this coming session.

Man's attitude towards woman is one of the utmost respect and consideration everywhere. They seem as proud of our political equality as we are ourselves. Many a doubting Thomas has become our enthusiastic supporter. The psychology of this part of the question is most interesting and is twofold: first, men do not really admire servile women. It is flattering for them to know that women, no matter how free, are just as devoted as ever. Second, women have found out that power brings no decrease in courtesy. It is a great joy for us to stand and look man full in the face, his co-worker and equal, and men like it as much as we do.

Our dear friends, the anti-suffragists, prophesied all manner of evil to the home. Inharmony was to be the general rule. Fortunately this has not been realized. Woman suffrage has meant much in many households, especially where there are childrren. Husbands and wives now discuss political questions before the children. They absorb this knowledge and it creates an early interest in government and in politics. It is not unusual to find the most divergent opinions held by husband and wife. One mother of three sons told me that her husband and two sons voted one way, and she and the younger one another. All was done after thorough good natured discussion and with entire mutual respect.

Women high school teachers say the change in the attitude of boys to them has been great. The following letter from Miss Putnam, vice principal of Manual Arts High School, is typical of many I have received:

> Our teachers feel that the granting of suffrage has made a decided difference in the attitude of students. Strangely enough, the great change has been on the part of the boys. They listen far more to the opinion of the girls on civic and political questions, and feel that the woman teacher's opinion now has equal weight with that of the man teacher.
>
> This, I feel, is of great value, for now the woman's view point will be respected and the coming citizens will have the benefit of hearing and respecting all sorts of opinons. The girls are feeling that it is worth while to know the things about which they can later express an opinion with the ballot.

Girls are taking a greater interest in their "civics" and are now debating political questions with the boys just as if it had always been the custom.

The women of California will never be spectacular in their political work —we do not have to be. Our men see things here without our having to resort to clubs as seems to be necessary in other parts of the world.

Probably more tolerance is being shown women's opinion than ever before. Even dinner parties are a pleasure. Conversation is real. Men take up politics as naturally with us as they would at the club with their friends. Our point of view means something.

The anti-suffragists (who by the way, have registered and are among our best citizens) prophesied all manner of fatal things, the "biological change" being the worst. It is too soon for that to be apparent, but other great changes have taken place that have been glorious. Woman now regards herself as a real part of life. The whole world is hers! It is as if a part had been fenced off and she had never hoped to be allowed in it, but now the fence is gone and she finds a great joy in a new life, new duties, new studies and new power. She may meet with great discouragement. This new weapon may not bring all the good for mankind that she so eagerly hopes for, and for which she is working so hard. It is not being used by her for personal ambition or for private gain.

Best of all, something has happened within herself—a great self-respect—a feeling of honor for herself and for her sex. No more treated as a person to be done for, but allowed to do for herself, to make her own mistakes and to grow strong and experienced through making them, to think her own thoughts, and to express these thoughts, right or wrong, in the policy of her state.

When all is said and done, why should we try to justify the granting of the ballot to women by its results? It is a right in a country that claims to be a democracy. It makes no difference really whether we use the ballot rightly or wrongly. Many men said, "I would be in favor of woman suffrage if I were sure it would make things better." What impertinence! There are so many standards of what is "good" in government that women would have a difficult task in pleasing all. We vote to please ourselves—to express our convictions as to the men and measures by which we wish to be governed. We have found that we do not exist to be well governed, but that government exists solely to make living together possible. We are as interested in solving that problem well as anyone. We are mere amateurs in politics. We are hardly more than mere amateurs in life, but life is unfolding before us more fully and we are a part of the whole of it, and the women of California hope that their political life will be such that the women of America and the world will find their entrance into political equality made easier.

HOW THE CHICAGO AND CLEVELAND STREET RAILWAY SETTLEMENTS ARE WORKING OUT[1]

BY DR. DELOS F. WILCOX

New York[2]

THERE are many types of street railway franchises in operation in the United States, but the only two cities which have thus far worked out general street railway settlements of national importance and national interest are Chicago and Cleveland. Chicago has an area of about 190 square miles and a population of 2,185,000, according to the last census, or nearly seven times the population of Los Angeles. Cleveland is a much smaller city, having only a little over 40 square miles of area and a population of 560,000 in 1910. The two cities may be compared from a street railway standpoint by stating that the total number of passengers carried on the surface street car lines in Chicago is almost 600,000,000 a year, while in Cleveland the number is a little more than 200,000,000. The larger number of riders in Cleveland in proportion to population is accounted for partly by the fact that the elevated roads in Chicago handle a large part of the local passenger traffic, and partly by the fact that in Cleveland traffic has been stimulated by the lower fares. The relative magnitude of the two cities from the street railway standpoint may also be seen from the fact that the recognized capital value of the Chicago systems on February 1, 1912, was about $127,500,000, as against about $24,500,000 for the Cleveland property as of February 29, 1912.

The Chicago settlement ordinances have been in operation for a little more than five years and the Cleveland ordinance for a little more than two years. The practical administration of the Chicago ordinances has been under the direct supervision of Bion J. Arnold, who, aside from the Hon. Walter L. Fisher, was the chief factor in the original negotiations. The administration of the Cleveland ordinance was for the first two years in the hands of a stranger. Both Tom L. Johnson and Judge Robert W. Tayler, the two men most responsible for the Cleveland settlement, died soon after the ordinance went into effect. Since January 1, 1912, however,

[1] This paper and that of Mr. Peters, on "A Suggested Sliding Scale of Dividends for Street Railways, Determined by Quality of Service," were read at the Los Angeles meeting of the National Municipal League, together with two other papers on "State vs. Municipal Regulation of Public Utilities," by John M. Eshleman, president of the railroad commission of California, and Lewis R. Works, formerly chairman of the board of public utilities of Los Angeles, which will be published in the January issue of the NATIONAL MUNICIPAL REVIEW.—EDITOR.

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the administration of the ordinance has been in the hands of Newton D. Baker, now mayor of Cleveland, and Peter Witt, city street railroad commissioner, both of whom were trusted lieutenants of Johnson.

The Chicago ordinances were the outgrowth of many years of financial exploitation, political corruption, intolerable service, stubbornly contested litigation and prolonged public agitation almost unparalleled in the history of American cities. During the preliminary period the people of Chicago became converted to the principle of municipal ownership; but found themselves so entangled in constitutional and statutory restrictions, so lost in administrative chaos, and so handicapped by the fag ends of unexpired privileges, that the great, rich city of Chicago could not, absolutely could not, buy up the antiquated junk which passed for a street railway system, and itself undertake to rehabilitate and build up a transportation utility worthy of a progressive city. The city had statutory authority to acquire and operate street railways, but as finally interpreted by the supreme court of Illinois, this authority was subject to financial conditions which the city could not possibly fulfill. In other words, one law gave the city powers which other laws prevented it from exercising. On the other side the franchises were expiring and in a notable decision the United States supreme court definitely denied the companies' most important claims. Yet the companies were in possession of the streets, and the railways, wretched as they were, had to keep going.

A great city of two million people clamored angrily and persistently to be carried in decent cars at a reasonable speed. The great issue was better service, and municipal ownership as a means to get it. The deadlock could not continue. Out of these impossible conditions strong men fashioned a compromise and drove it through. The city was unable legally and financially to get immediate municipal ownership, but it could not postpone any longer the immediate rehabilitation of the system and the service. The surface street railways of Chicago, barring certain comparatively unimportant outlying lines, were operated by two companies, which served separate districts, but had access in common to the business heart of the city. The settlement ordinances applied to both companies.

To smooth the way for municipal ownership, the existing properties were appraised and the value was written down in a book at the round figure of $50,000,000—$29,000,000 for one system and $21,000,000 for another. It was agreed that the new capital required for the reconstruction, reëquipment and extension of the lines should also be written down in the book from time to time and added to the original valuation. The sum as shown was to be the purchase price, and the city would have the option at the end of any period of six months to walk up to the counter, lay down the price, and walk off with the goods. All the uncertainties of future appraisals, litigation, corporate resistance and complex disputes were

wiped out. The purchase price was fixed. City money, whenever it was forthcoming, would talk.

This particular option, however, would not be effective during the first period of twenty years, except for municipal operation, although if the city itself could not take over the property for municipal operation, it could organize a licensee company limited to a 5 per cent profit, and the latter could take over the street railways to operate them as trustee for the city's benefit, by paying the same purchase price. Moreover the city could designate as its licensee any properly authorized new company, not limited as to profits, and in that case the licensee could take over the property by paying the purchase price plus a bonus of 20 per cent. After twenty years this bonus would not be required. In the meantime, the roads were to be rebuilt and reëquipped and not less than a specified minimum mileage of extensions was to be added each year. A board of supervising engineers, consisting of Mr. Arnold as chief engineer and chairman, a representative of the city, and a representative of the company in each case, was established, principally for the purpose of supervising the work of rehabilitation, certifying additions to capital, and determining what expenditures should be charged to the various accounts. On the companies' actual expenditures for capital account, they were to be allowed certain additional amounts —10 per cent for contractor's profit and 5 per cent for brokerage. Moreover, for the three year period fixed as the period of "immediate rehabilitation" 70 per cent of gross receipts was arbitrarily set aside for operating expenses and it was provided that anything spent for renewals during this three-year period in excess of what might be available for that purpose out of this 70 per cent, should be added to capital. Street railway fares were fixed at 5 cents for adults and 3 cents for children between seven and twelve years of age. Children under seven properly attended, were to be carried free. Except in the downtown business district, comprising an area of about two-thirds of a square mile, free transfers were to be given that would enable a passenger to ride from any point on either system to any other point on either system, not involving a return trip. Through routes were to be operated over both systems as listed in the ordinances. The companies were to be allowed 5 per cent interest on the recognized capital value or purchase price as written down in the book. This allowance was to come after operating expenses, including maintenance, renewals, accident reserve and taxes. Specific percentages of revenues, subject to modification by the board of supervising engineers, were to be set aside to insure the upkeep of the property to the highest practicable standard of efficiency.

After the companies had withdrawn their 5 per cent return on capital, the net profits were to be divided in the ratio of 55 per cent to the city and 45 per cent to the companies. It was stipulated that the city's share of the profits should be placed in a fund for the purchase and construction

of street railways. The expenses of the board of supervising engineers were to be charged to capital account during the three year period of "immediate rehabilitation," and thereafter to operating expenses. Mr. Arnold's salary as chairman of the board was fixed at $15,000 a year, and he was allowed $15,000 a year additional as chief engineer during the period of reconstruction. In case the companies failed to comply with the provisions of the ordinances for a period of three months exclusive of time during which, without their connivance, they were delayed or interfered with by unavoidable accidents, labor strikes or court orders, their rights under the ordinances might be forfeited, but in any such case the rights of mortgagees to recover by foreclosure up to the full value of the property as reflected in the purchase price, were not to be affected. In other words, forfeiture would run against the operating companies, but not against their bondholders unless and to the extent that bonds had been issued in excess of the value of the property.

How has this scheme worked? Chicago has got a physically reconstructed, high-grade street railway system. Practically all the small outlying lines have been brought into the scheme and are now being operated by one or the other of the two companies. This means a universal 5-cent fare for adults and free transfers throughout the city, except in the downtown business district. This limitation of the transfer privilege was designed to prevent abuses. It operates to the inconvenience of a number of people who have to walk from a block or two to perhaps a third of a mile to reach their downtown destination, or else pay a second fare. The through route provisions of the ordinances have not yet been worked out satisfactorily, largely as a result of the jealousies and conflicts of interest of the two companies. Only 9 per cent of the cars entering the business district are through-routed, with the result that a passenger desiring to pass through the heart of the city must submit to considerable delay in waiting for a through car or in making a detour by transfer around the business district, or must change companies and pay a second fare. Downtown traffic is badly congested, partly by reason of the fact that 91 per cent of the cars switch back or go around short single track loops, crossing and recrossing each other's routes with resultant confusion and delay. Service is generally good so far as physical equipment is concerned, but there are serious complaints of overcrowding during the rush hours. No trailers are used.

The original purchase price, including the smaller properties since brought under the ordinances, was $55,775,000. On February 1, 1912, after five years, their aggregate purchase price was $127,492,398.37, an increase of 128 per cent. During the five years period the companies had received about $22,000,000 as interest on their investment, $6,432,183 as their 45 per cent of net profits, and about $9,000,000 as their percentages of profits on rehabilitation, a total of approximately $37,500,000 or the

equivalent of 8.5 per cent per annum on their investment as shown by the purchase price. During this same period taxes paid to the city and other public bodies amounted to about $4,800,000 and the city's share of profits amounted to $7,804,000.

The Chicago settlement ordinances are a great constructive work of municipal statesmanship. They are the practical outcome of the first big battle in this country to recover for a great city the control of its streets. In the light of Chicago's experience, many other battles will be fought before the cities of America have attained the complete ownership and control of their highways, which is, in my opinion, a prerequisite to the full realization of civic democracy, the assumption by the city of the self-control necessary to transform the cities in which a few of us now grow rich and many of us grow poor into cities in which we all may *live a full and free life.*

Certain serious mistakes in Chicago's policy have been revealed as the result of five years' experience. The possibility of municipalization was intended as a check upon the companies. In fact these ordinances were represented as giving them one last chance to make good as servants of the people, the sword of municipal ownership being suspended at all times above their bowed necks by a slender thread. In five years' time that slender thread has grown mighty stout, until timid capital all over the country is clamoring for a chance to bend its neck under a sword suspended by that kind of a string. While the city has been accumulating a purchase fund of about $8,000,000, the purchase price of the properties has *increased* more than $70,000,000, and the companies have been making more than 8 per cent on that price. At this rate, Chicago will not be likely to continue long to regard as of great practical value, the simple announcement of its famous contracts: "Just walk up with the money and you can walk off with the street railways."

The mistakes of the Chicago ordinances are mainly three:

1. They permanently capitalize many millions of dollars of franchise values, superseded properties, city pavements and construction profits, which never should be capitalized at all except as a last resort, and in that case should be amortized out of earnings as a first charge after the payment of bare interest rates on the investment. It is impossible to tell from the figures available just how much of the present purchase price of the Chicago street railways represents *bona fide* present value of tangible property. I believe, however, that at least 20 per cent or 25 per cent of the purchase price represents elements that never should be permanently capitalized. In fact, it is fairly certain that in the process of rehabilitation, more *dead capital* has been added to the account than the entire accumulations of the city's purchase fund.

2. The second mistake in the Chicago ordinances is their failure to provide for the investment of the city's purchase fund, in the securities of the

street railway system. While the companies are pouring new millions of capital into car lines and getting 5 per cent brokerage and 5 per cent a year as a minimum return, the improvident city puts its money in the bank and gets $2\frac{1}{4}$ per cent interest on it.

3. The third serious mistake of the Chicago plan is the indefinite and inadequate provision for the permanent supervision of service by the board of supervising engineers after the expiration of the reconstruction period. The ordinances are not very clear on this point, but the board is unquestionably very limited in its initiatory jurisdiction over service matters.

Turning to Cleveland, we find a franchise settlement of another type. There, as in Chicago, the ordinance finally adopted was the outgrowth of years of litigation and political struggle. In Cleveland, however, the service had not been so badly neglected and the corrupting activities of the street railway interests had not been so bold and brutal. The main struggle in Cleveland was for lower fares, with municipal ownership as soon as conservative Ohio would permit it. Tom Johnson, as a practical railway man and a radical civic statesman combined, asserted the practicability of 3-cent fares, and pending the working out of the municipal ownership program, demanded politically that the street railway company of Cleveland should be deprived of its monoply profits. Unable to attain his purpose by negotiation, he did not hesitate to establish a competing line under franchises practically granted by himself to himself as trustee for the public. My time does not permit of a review of Johnson's long fight. The settlement known as the Tayler ordinance was finally put through in the face of Mr. Johnson's personal opposition and went into effect March 1, 1910. Under this settlement the value of the property was agreed upon, as in Chicago, and provision was made for additions to capital account from time to time, subject to the city's approval. As yet Cleveland does not enjoy even the theoretical right to own and operate street railways, but looking to the future, the ordinance reserves to the city the right, when it is legally competent, to take over the property at the recognized capital value plus a bonus of 10 per cent on the portion of that value not represented by bonds.

The city is also authorized to designate a licensee company which will be permitted to acquire the property at the same price on condition that it will agree to accept a smaller return by at least one-fourth of 1 per cent on the portion of the capital value represented by capital stock than the original company is at the time entitled to receive. The original company, however, must be allowed to submit a bid before a licensee is designated, and no licensee may be designated unless it underbids the original company. At the expiration of the franchise or any renewal of it, the bonus will not be required as a part of the purchase price.

Aside from the provisions for purchase, the main idea of this ordinance

is that the company shall receive a fixed rate of return upon its investment, and all surplus profits shall be prevented by an automatic readjustment of fares in accordance with a detailed schedule in the ordinance itself, which provides for a range between a maximum rate of 4 cents cash fare, seven tickets for a quarter, and 1 cent for a transfer, without rebate, to a minimum rate of 2 cents cash fare, 1 cent for a transfer and 1 cent rebate when the transfer is used. Between these extremes are eight intermediate variations in the rates. When the ordinance went into effect, the rate was to be 3 cents cash fare, 1 cent for a transfer and no rebate. A certain fund was established to operate as the financial pulse of the street railway system. This fund was started off at $500,000 and it was provided that whenever the fund increased beyond $700,000, the fares should automatically be lowered, and whenever the fund went below $300,000, the fares should be raised. In case of dispute between the city and the company about the necessity of a change of fare other than by this automatic arrangement the matter was to be submitted to arbitration. But in case the city ever let the franchise come within fifteen years of expiration, the company would be entitled to charge the maximum rate provided for in the schedule, and apply all surplus profits to a reduction of capital, which would, in case of subsequent purchase by the city, go to reduce the purchase price.

The company was allowed a fixed amount, 11½ cents per active car mile of motor cars and 60 per cent as much per car mile for trailers, for operating expense, and also a fixed amount per car mile for maintenance, renewals and depreciation. This latter allowance varies with the season, but averages about 5 cents per car mile. These allowances may be changed by agreement or by arbitration. The company is allowed to withdraw each year from the interest fund a sum equal to 6 per cent on its authorized capital stock and actual interest charges not exceeding 6 per cent on its bonds. New stocks and bonds may be issued, but unless approved by the city, they do not become a part of capital value.

The city appoints a street railroad commissioner whose offices and supplies are furnished and whose expenses and salary are paid by the company as an operating expense. The amount of the commissioner's salary is limited to $12,000 a year. The present commissioner gets $7500, the same as the heads of other city departments. The expenditures for salaries of the commissioner and his assistants are limited to 1 per cent of the company's "operating" allowance in any one month, except that in checking construction accounts, the commissioner may spend also not exceeding 1 per cent of the estimated cost of the proposed additions, extensions and betterments. The commissioner is the technical adviser of the city council. He has very little ultimate authority of his own except in the way of examination into the company's accounts and practices. Backed by the city

council, however, he has absolute control of car schedules and service. Nearly every other question of dispute between the city and the company may be referred to arbitration.

On March 1, 1910, the new plan started off with 3-cent cash fares and a penny for a transfer with no rebate. The company has spent more than the ordinance allowance both for operation and for renewals; but the overdrafts in these funds, until authorized by the city or by arbitrators, do not affect the interest fund, which determines the fare. On June 1, 1911, the interest fund having passed the $700,000 mark, the fare was reduced one notch to 3 cents with penny-for-a-transfer and a penny-rebate. That is practically 3 cents straight, as the thrifty Clevelanders do not buy transfers unless they are sure of using them, in which case they get their money back. A passenger may buy five tickets for 15 cents, but unless he does buy tickets, he must present the exact change, 3 pennies for one ride, or 6 cents for two, or the company will keep his nickel. In practice a little more than 1 per cent of the rides are at the nickel rate. From June 1, 1911, to the present time, the 3-cent fare has been maintained. This is in spite of a deficit in the operating and renewal funds. For a period of eight months in 1911, the city allowed the company an extra cent per car mile for operation. Otherwise the allowances have been as set forth in the ordinance. During the first year the company spent and took about $199,000 more than the gross receipts and during the second year about $362,000, making the gross deficit for the two years about $561,000. That is practically equivalent to the penny-for-a-transfer charge for one year. It should also be noted that the city fare is maintained to the suburb of East Cleveland under an old franchise requirement at a heavy annual loss, estimated by the city at not less than $300,000. In Cleveland, when tracks, cars, etc., are replaced, their full original cost is charged to maintenance, while in Chicago only the original appraised value is so charged.

Cleveland is getting fair service at a 3-cent rate. It may be that the increase in traffic will overcome the deficits thus far accrued. The city street railroad commissioner has ordered 100 new 55 feet inside measurement trailer cars to cut down operating expenses and relieve the rush hour traffic. Gross receipts in April, 1912, were about $4000 greater than in April, 1911, in spite of the lower rate of fare which represented a loss of approximately $50,000 revenue. In Cleveland, the city has the right to designate and order improvements to the amount of $2,500,000, which are to be made this year and next. Extensions, betterments and improvements generally may be ordered by the city, and the company must make them, if it can, acting in good faith, secure the funds, unless it claims that the proposed expenditures will impair the future ability of the property to earn the stipulated return on investment. In that case the matter goes to arbitration. The

city cannot, however, propose any improvements after it has let the franchise come within fifteen years of expiration. Improvements proposed by the company may be made if approved by the city.

Cleveland has made the same mistake as Chicago in permanently capitalizing franchise and pavement value, and making no provision for reduction of capital, except during the fifteen year period prior to the expiration of the franchise. The people are being saved a lot of money. The company's motive for economy is destroyed, but thus far expenditures are being pretty well held in check by the arbitrary provisions of the ordinance and the supervising alertness of the city commissioner and the city council. It is reasonably certain that in spite of its low fare and no profits, Cleveland will not have any harder time than Chicago in buying out the local street railway system.

The experience of the two cities points to one conclusion, namely, that if municipalization is to be either actual or potential, all franchise values and superseded and imaginary property must be wiped out of the permanent capital account. If this is done and a city wishes to municipalize, it can do so by requiring the property to pay for itself out of earnings. The increased safety of the investment will alone pretty nearly supply the amortization fund without any higher fares. This seems to be the only practicable plan of municipalization that does not involve the assumption by the city of enormous additional debts.

SHORT ARTICLES

CIVIL SERVICE REFORM AT LOS ANGELES

CIVIL service reform took a front position at the Los Angeles meeting of the National Municipal League and held it throughout the various sessions. This was in part due to the local situation. Los Angeles had succeeded in securing honest municipal government, and a large measure of democratic government. What they wished to learn from the League was the methods to be adopted to secure in addition efficient municipal government. The civil service reformers there present had the most definite and concrete proposition to submit for securing efficiency in addition to honesty. This was the plan for the application of the merit system for the selection of municipal experts at the head of all the operating departments of city government as embodied in the draft of the report of the joint committee of the League and the National Civil Service Reform League[1] upon the selection and retention of experts in municipal affairs.

President Foulke had drafted his annual address on "Expert City Management"[2] with the report of this committee in mind. It brilliantly and effectively reinforced and emphasized its conclusions and formed the keynote of the meeting. Further to emphasize the importance of the merit system as an instrument in securing efficiency, Elliot H. Goodwin, the secretary of the National Civil Service Reform League read a paper on "The Need for an Adequate Civil Service Law," in which the emphasis was laid on the word "adequate." Whether one's point of view is free city government, honest city government, efficient city government, non-partisan city government, or all of these combined, there is no one, Mr. Goodwin contended, who will attempt to dispute the axiom that civil service reform is fundamental to them all.

The most carefully devised non-partisan election law cannot prevent the corruption of the electorate with the spoils of office; the most simple and ingenious organization of city government cannot bring efficiency to the administrative body through the arteries and veins of which runs the poison of the spoils system.

Yet some have seemingly tried to maintain that the simplified and businesslike form of city government known as city government by commission obviates, or at least lessens, the necessity for the merit system. On the one hand they argue the people will be quicker to see the abuse of public office for private and partisan gain and possess the power of quick punishment, on the other, that the officers possessed of this great power

[1] See National Municipal Review, vol. 1, p. 646.

[2] See National Municipal Review, vol. 1, p. 549.

and commensurate responsibility should be allowed a free hand in the choice of tools with which to accomplish results. There is something in this argument which certainly appeals, but it looks at the question from one side only. The concentration of power involves a like concentration of patronage. Hand in hand with the increase in responsibility has gone the increased ability and temptation to misuse the patronage. Under the old system of checks and balances the power of the patronage was distributed; under the new forms, in which the old checks and balances are happily discarded, it is concentrated in the hands of a few men elected on a general ticket.

Glance for a moment at the new safeguards established by commission government to replace the old checks and balances—popular control expressed through the initiative, referendum and recall. How far are these effective remedies against the abuse of patronage, the use of the numerous offices under the control of a few men to build up a political machine in order to defeat the will of the people? The initiative and referendum may be dismissed from consideration at once; they are legislative remedies solely, the one to secure the passage of laws desired by the people but refused by the representatives, the other to prevent the passage of laws desired by the representatives but inimical to the people's wishes. The recall? Yes, that would permit the removal of the commissioners who misuse the patronage, provided, however, a clear issue could be made of it. But from the very nature of the case a clear issue cannot be made except in the most extreme instances.

The inadequacy of the usual provisions inserted in commission government charters was pointed out in detail. A year ago Robert W. Belcher, assistant secretary of the National Civil Service Reform League, and Mr. Goodwin prepared an article on "Civil Service Reform in Commission Charters" for the volume entitled *Commission Government in American Cities*, compiled by the American Academy of Political and Social Science. As the result of that investigation they found that less than one-third of the commission cities were under civil service rules. Outside of commission cities in Massachusetts, to which the general civil service law of the state applies, there are only a few in which the civil service laws are measurably adequate. In the vast majority of cases in Mr. Goodwin's opinion they are notoriously inadequate—almost puerile.

To give a city civil service commission a proper degree of independence of appointing officers to enable it to carry out its purpose without at the same time making it static and unresponsive to sound public opinion is, it must be confessed, a puzzling problem. In some states in the east, notably Massachusetts, New York and New Jersey, this has been accomplished with a considerable degree of success through state supervision or state control. This merely involves the recognition of the fact that the state has a real and legitimate interest in the purity of elections and the honesty of the administration in all its subordinate civil divisions, including cities. A state administrative commission is not controlled by the influence of local city politics, it has a standard to uphold in all parts of the state and cannot afford to discriminate in any marked degree in favor or against

one particular city. If, as in New York State, each city has its own locally appointed and supported civil service commission, subject in all their important functions to the supervision of a state commission, results have shown that local initiative is not hampered but rather encouraged, while an efficient safeguard has been provided against the lowering of the standard of administration below that prescribed by the state for all cities.

This plan, however, is unpopular in the west, where any supervision of local administration by state administrative boards is apparently looked upon (I think mistakenly) as a violation of the principle of local self-government. Again, only six states at the present time have state civil service commissions. We are therefore forced to consider the provisions which it is essential to insert in a city charter in order to provide for an efficient enforcement of the merit system. I have discussed this question in a paper before the National Municipal League at its meeting in Buffalo in 1910.[3] I quote from that paper the four provisions which appear to me to be essential.

"First. The commissioners must be appointed for terms and these terms made to overlap so that, at all times, a majority of the commission should be made up of those who have had previous service. A provision for a commission of three, not more than two of whom shall be of the same political party, appointed for six-year terms, one vacancy occurring every two years, seems to be the best yet devised to accomplish this object.

"Second. The term will accomplish little or nothing unless a tenure is attached to it sufficient to prevent the mayor or council from coercing the action of the commission by threat of removal. A provision that removal shall be for cause only and after a hearing, but without review by the courts, will permit the mayor to get rid of an inefficient or dishonest commissioner and at the same time protect the commission against coercion in their administration of the law.

"Third. All provisions essential to a proper enforcement of the merit system should be contained in the law or charter itself.

"Fourth. The civil service commission should have power to make rules, after proper notice and hearing, without a requirement for approval by mayor or council.

What has been said up to this point has dealt with the establishment of the merit system in city government in the sense in which that term is generally used; that is, as applying merely to the subordinate service. In spite of the results for increased efficiency and honesty which it has brought about, civil service reformers have long been aware that if confined to this limited meaning the merit system was far from complete and government under it presented the striking anomaly of the subordinate service withdrawn from politics and subject to appointment for merit and fitness only, while the immediate administrative superiors of this large force, directing its efforts and largely controlling the destiny of its members, remained directly subject to political influence and was recruited with little regard for ability to perform the duties of their positions.

Students of municipal government have frequently pointed out the striking contrast between municipal government in European countries and in the United States in the presence of permanent experts in charge

[3] See the Buffalo *Proceedings*, p. 304.

of operating departments there and the total absence of any such expert direction here. As time progresses and the business of city government is extended this distinction as Mr. Goodwin emphasized grows sharper and the need of expert management more obvious. Some have pointed it out as the leading weakness in American city government and have predicted that through the installation of permanent expert direction of business departments city government here can be placed upon a sound and successful basis; but they have failed to suggest a method by which this desired result may be obtained.

This was the problem which the joint committee that presented the preliminary report referred to above. Its members recognized that it was not necessarily a problem in civil service reform as generally understood; that other countries, notably England, had secured the expert direction of city operating services without resort to competitive examinations. It is useless to theorize when one has the facts. In the administration of the business departments it is as harmful to have political direction as to lack expert direction. The non-competitive or qualifying examination, leaving the executive officer the widest possible latitude among persons qualified is the system inaugurated by the new Boston Charter. It was rejected by the committee because it does not, and cannot, go further than to exclude the unfit and only limits, and does not prohibit, political selection and political direction. In Mr. Goodwin's words:

> No other method of obtaining at one and the same time fit appointees and non-political appointees has as yet been devised in this country than the plan of competitive examination—examination to prove fitness, competition to fix an order of selection regardless of politics and approximate the ideal of the appointment of the most fit. The ordinary written examination of set questions and answers was obviously unfitted for the purpose of filling expert positions of high grade. It leaves out of account too many important factors, simply furnishing a restricted groundwork of knowledge and character, with too little information regarding executive ability, energy and personal fitness to inspire confidence in appointing officers. Something more to supplement or supplant this restricted method was needed and here recent experiments of civil service commissions in new methods of examination have suggested the way out.
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> In the filling of many of these positions it is obvious that knowledge of and experience in the department, combined with requisite scientific education and training, will be of paramount importance. Whenever the proper material can be found in the lower ranks of the service, promotion, safeguarded against political influence through competitive examination which will take account of previous service and record of efficiency as well as education and training, should be resorted to as a common-sense, practical method. By opening these high positions to promotion an incentive to greater energy and observation and self-education will be given to the subordinate service. Through competitive promotion examination the New York City fire department recently secured a new fire chief and he

would be rash who would assert that a more competent expert with an equally satisfactory training and experience could have been chosen by any other method.

Promotion however will clearly not meet the need in all, if indeed a majority, of cases. A broader training and experience is frequently wanted than that which is acquired through service in any one department in one city. The subordinate service as now constituted has lacked incentive; political exigencies have made its members timorous and fearful of facing and accepting new responsibilities; it was not recruited with a view to producing material for the higher expert positions.

Under these circumstances civil service commissions when called upon to fill high positions demanding expert and administrative ability have of necessity turned to the methods employed by large private business interests. This method was described in brief as follows:

The commission selects a board of recognized experts of standing to conduct the test. Widespread advertisement is given to the examination. Character and previous experience of applicants are closely inquired into. In place of the written examination of set questions and answers, the submission of previous work, such as plans in the case of engineers and architects, briefs in the case of lawyers, is required, or the applicants are called upon to submit theses on the organization and methods of the work of which they are to be put in charge. Ample time and information is given them to work this out in detail. Those who are found to have had the necessary education and experience and have shown the greatest ability and initiative in handling the problems are then summoned for an oral test, in which their personal fitness, their readiness, tact and judgment, are passed upon by the board.

It is easy to assert that this system is not watertight, that it covers but a part of the range of requisite knowledge and cannot test adequately the way in which the man will act toward subordinates and superiors; but compare it for adequacy and searchingness with the tests that the private employer, who can devote but a part of his time to the selection of subordinates, applies and its merit will appear. The most important unknown factor, the way the man will work out in practice, is tested in the probationary period following selection. These methods have been used for selecting librarians, architects, street superintendents, office managers chief examiners, attorneys, and other high grade executive officials with results that have been highly gratifying.

What are the expert positions to which this system of appointment shall apply? Mr. Goodwin asked. That has been the question most difficult of answering in the concrete case of each of our forms of city government, although it is not difficult to define the functions they are to perform. Mr. Foulke, in his annual address, aptly answered the question.

The plan submitted by the committee is in part dependent in Mr. Goodwin's judgment for its successful operation upon the organization of city government.

"It cannot, in my opinion," he said, "be made to fit that common form of mayor and council government with numerous heads of so-called departments, each acting independently, or in an advisory capacity to the mayor. It presupposes the adoption of one of the concentrated and simplified forms of city government toward which there is such a decided trend at the present day.

"On the other hand, if the experience of the commission government has proved anything it has clearly proved the practicability of concentrating the functions of city government into a few large departments and placing responsibility for their policy upon a few department heads. This but goes to bear out the much longer experience of certain other cities, notably Philadelphia, in which but a few departments exist, and to emphasize the complexity and absurdity of those city governments, such as New York and Boston, in which there are independent departments numbering from fifteen to forty. Where concentration has taken place it is not hard to determine the position of the expert. There we find a mayor and a small cabinet of advisers, each at the head of a large department, or a council, as in commission government, each member similarly placed, and under them in each department a group of important operating bureaus. It is at the head of each of these operating bureaus that the permanent expert belongs, put there to carry out according to the best approved scientific methods the policy determined on by the head of department or the administration of which he is a member. In this position he presents no obstacle to the carrying out of public policy, for he acts toward the policy determining power merely in an advisory capacity. He retains his position regardless of political changes and with an equally permanent non-political working force under him protects the citizen against waste and inefficiency, due to ignorance or design, through his knowledge of the best scientific methods and his recognized standing as an expert."

It will be seen from this account of Mr. Goodwin's paper, the president's address and the draft of the report of the joint committee that a carefully prepared program was presented to the National Municipal League and to the Los Angeles Charter Commissions. (I use the plural noun because both the city and the county boards of freeholders were in session during July and present at the meetings of the League.) It is perhaps too soon fully to estimate the influence of the argument advanced, nevertheless the result of the persistent hammering on this phase was to make it a dominant one of the convention; and judging from the reports in the newspapers the commissioners were impressed. The following is taken from Los Angeles *Herald*, a few days after an adjournment.

As the result of the conference of National Municipal League workers and the Los Angeles charter revision committee, the following ideas have been crystallized and will probably be incorporated in the proposed new charter:

The extension of civil service examinations for all administrative officers subordinate to the commission of seven men to be elected to take the place of the city council, one of whom will be elected as mayor.

The granting of indeterminate street railway franchises with safeguards to render possible municipal ownership and the rapid amortization of capital.

The appointment of the city attorney by civil service.

Although there has been no meeting of the charter commission since the discussion of these points yesterday, it is the opinion of John J. Hamilton, secretary of the commission, that material changes in minor details will be made all through the charter and that these three essential points will be definitely adopted.

"I now believe," said Mr. Hamilton today, "that methods of civil service have been sufficiently developed to make this method of appointing city officials practicable for all heads of departments subordinate to the commission, and I am sure all the other men will think so, too. I am almost willing to predict definitely that this will be incorporated in the charter.

"That the city attorney will, hereafter, be appointed by civil service tests is another probable result of the convention."

"My own mind has been changed on the civil service proposition," said Lewis R. Works. "I am convinced we should appoint by civil service all officials except the commissioners and, possibly, the city controller.

"The conversion to the extended civil service plan has been complete and remarkable. I believe we all want it now."

In a letter to the committee on the extension of civil service reform Mr. Goodwin said:

The extent of the sentiment may be measured in part by the following: Soon after arrival I got in touch with the secretary of the board of freeholders to find out what had been inserted. Provision had been made for a civil service commission and then a clause had been introduced covering all expert positions similar to that in the new Boston charter and providing solely for non-competitive examination or confirmation by the civil service commission. The charter itself is to contain only general principles; detailed provisions will be inserted in an administrative code, which can only be changed upon a vote by the people of the city. Just as I was leaving Los Angeles I was called up by the secretary who informed me that he had inserted a new clause in place of the Boston charter clause to the effect that the members of the city commission should be elected and all positions under them should be filled through the merit system.

Meyer Lissner's suggestive paper on "Honesty *plus* Efficiency" was a further reinforcement of the program and afforded a fitting contribution to its argument. Taking it by and large civil service reform ran up a big score in its Los Angeles innings.

CLINTON ROGERS WOODRUFF.

THE SELECTION AND RETENTION OF EXPERTS IN MUNICIPAL OFFICE

THE joint committee of the National Municipal League and the National Civil Service Reform League on the selection and retention of experts in municipal office calls attention to a striking distinction between the administration of cities in enlightened European countries and that of the cities in the United States. Regardless of the differences in the form and organization of municipal government in different countries of Europe, there is always at the head of each of what may be termed the operating services of city government in European cities an expert who has won his position through his expert qualifications and experience and who holds that position during continued efficiency and good conduct. In every case he has the reasonable certainty of an honorable and permanent career in the line of his chosen calling. In the United States this essential feature of successful city government is almost wholly lacking. Corresponding positions at the head of the operating services of city government here are filled by a kaleidoscopic procession of casuals, whose appointment and tenure are usually influenced by considerations of partisan politics and no permanency of tenure or hope of a career is probable, if even possible. The application of the merit system to the operating departments thus far has been, with here and there an exception, confined to subordinate positions only. This has created the anomaly that subordinates have been withdrawn from the field of partisan politics, while their superior and directing officials are still subject to its malign influence. The result upon the efficiency of the operating services of city government has been exactly what might have been expected. The absolute necessity of placing upon a permanent and independent basis the higher administrative officials who carry out, but do not create the policies of a city government has been repeatedly emphasized by eminent earnest workers for the betterment of city government in the United States. Among them that eminent student of government here and abroad, A. Lawrence Lowell, now president of Harvard University, pointed out the need very clearly in his brief and admirable paper before the National Municipal League at its Pittsburgh meeting in 1908.

Recognition of the evil is becoming more and more general. There is a steadily increasing demand for some practical method of removing it. Your committee submits the following suggestions:

The operating departments of a city government should be manned by a force selected and retained solely because of competence to do the work of their positions. At the head of each such department should be an expert in the work of the department who holds his position without reference to the exigencies of partisan politics.

American political experience has proved that on the whole the most certain way of securing such a force is through what have come to be known as civil service reform methods, namely, through competitive examinations of applicants for appointment or promotion. Since 1883, when the practical application of these methods began, it has been found that such examinations need not and often should not be confined to book knowledge or to written questions and answers, and that, provided the examination be fairly conducted by competent examiners, other forms of examinations have been successful to a marked degree in filling positions requiring not only the highest expert knowledge but the highest expert administrative ability.

How shall the system which produces such examiners and such results from examinations be established and protected? The answer is through a board of commission, whose one duty it is to maintain and perfect such a system and whose members shall hold their positions independent of arbitrary removal. Whatever the particular form of municipal government may be, the members of its civil service commission should not be subject to arbitrary removal and should not, in fact, ever be removed because of any difference between the partisan political views of the members of such commission and the power that appoints them.

There should be at least three members of such a commission and the terms should be at least three years, one going out of office each year. In Illinois the civil service commissioners are considered as experts and are chosen as such. Such a commission having the authority to prescribe and enforce the conditions of appointment and promotion but with no power itself to appoint or promote will inaugurate and, with experience, will perfect a system that will keep every position from the highest to the lowest in the operating services of a city government free from any partisan political influence.

Since the duties of such a commission are purely administrative and are not in any slightest sense of a partisan political nature and it is important that the standard of administration in each city should be kept at the highest, we favor the administrative supervision of the city commissions, by a central state board. The supervision should be administrative solely and, properly conducted, will tend to keep the level of local administration high. A local commission conscious of constant criticism from a central state board entitled to investigate and report and under proper restrictions to reprimand and to punish will feel a stricter and higher responsibility to the public for the performance of its duties.

In reaching these conclusions, the committee constantly kept in mind that those officials who formulate and establish policies must be in close touch with the people, either by direct election or through appointment and removal without restraint by those who are elected by the people. On the other hand, operating officials carrying out the policies so determined should hold office during continued efficiency and good conduct, and should be experts of education, training, experience and executive ability, and selected and promoted under civil service rules of a kind to determine these qualifications.

To the objection that an incoming administration should have the power to appoint his own experts in sympathy with its proposed policies, it may

be answered that experience both in public and in private work has shown that an executive does not need to change experts in order to initiate new policies. In railroading, for example, a change of administration is followed by few, if any, changes among the civil engineers and superintendents of divisions. When Mr. Harriman took charge of the Union and Southern Pacific railroads, and entirely changed their policies, he kept all the former experts, even the chief legal adviser of the road; and Mr. Hill, in his reorganization of the Northern Pacific and its branches made only one change in its large personnel.

To the argument that experts are likely to become bureaucratic and out of touch with the people, experience has demonstrated that they are very much alive to the needs of the people, are well versed in the latest experience of other municipalities, at home and abroad, and that they often suggest improvements of which the people themselves have not thought, and which have never been made an issue. As a general proposition, neither the people nor the politicians have initiated the modern municipal improvements, but rather the experts, such as physicians, sanitary and civil engineers, architects, landscape architects, bacteriologists, philanthropists, and educators, backed up by civic leagues, boards of trade, and similar public bodies.

It is not claimed that an ordinary academic civil service examination is a suitable method to select experts of mature experience and executive ability. The present methods employed by competent civil service commissions for such positions, however, are not such. There are two general methods employed: one selecting for the lower expert positions through very thorough technical examinations, and then promoting to the chief positions as experience becomes mature and executive ability is exhibited; the other is that of directly filling the higher positions by examinations consisting of systematic and thorough inquiry into the education and training of the candidates, their achievements, experience, success in handling men, and ability in executing large affairs, and carried on by examiners who themselves are specialists in the subjects under consideration. For example, for selecting an architect, leading architects are the examiners; for engineers, engineers.

High-grade experts of mature experience do not like to exchange steady private employment for municipal services as conducted in the United States today, with short or uncertain terms during which they are subject to dictation from politicians. Where, however, positions are made practically secure, and where successors can only be chosen by a method from which favoritism is eliminated, and sufficient powers are granted them, experts do apply. This is not only true on the continent of Europe, but has proved true in Chicago, where the city engineer, the engineer in charge of bridges, the city auditor, the chief street engineer, the building inspector

in chief, and the chief librarian (with salaries from $3000 to $8000 a year) have been appointed under civil service rules. This system has also been successfully used in the appointment of the state librarian for New York State, assistants to the attorney general, and several other such officials, and, in the federal service, in the appointment of the heads of many bureaus, experts with scientific knowledge and executive ability. R. A. Widdowson, the secretary of the Chicago civil service commission, in a letter dated February 14, 1912, said: "The higher grade examinations in the Chicago civil service, which are usually open to all qualified residents of the United States, attract men of the highest calibre where the salaries are on a commercial basis." The same in substance is reported by the civil service commissions of Kansas City, New York City, New York State, and the United States.

When such a system as herein recommended has been in operation for a number of years there will doubtless grow up in this country, as there has in England and in Europe, a large body of municipal experts in the various branches of municipal activity who begin their careers in cities of moderate size or as assistants in large cities, and by promotion from one city to another or within the same city reach the highest positions.

In the United States we have as an illustration of expert accomplishment the river and harbor work. The fact that out of the $627,000,000 actually spent for that work between 1789 and 1911 so little has gone for corrupt purposes is due to the work having been done under the detailed administration of United States army engineers, who secure their positions through strict competition at West Point and who hold their positions for life during good behavior, and who are only under about the same control as is proposed here for municipal experts. These United States army engineers have nothing to do with the initiation of the work (except in the way of advice) or of the appropriation of funds, and all their expenditures are carefully scrutinized by auditors and comptrollers who disallow any item not strictly within the appropriation and law.

If by this system we should in America succeed in taking municipal contracts out of politics and in putting the control of subordinate employees under persons not looking to the next election, we shall accomplish for the welfare, political morality, and reputation of our American cities a lasting good.[1]

[1] This is the draft of a report of the joint committee of the National Civil Service Reform League and the National Municipal League, presented to the eighteenth annual meeting of the latter body, held at Los Angeles, July 10, 1912. The committee is composed of Robert Catherwood, Chicago; Richard Henry Dana, Boston; Horace E. Deming, New York; William Dudley Foulke, Richmond, Indiana; Elliot E. Goodwin, New York; Stiles P. Jones, Minneapolis; Clinton Rogers Woodruff, Philadelphia, chairman.

THE DISCUSSION OF THE LOS ANGELES CHARTER

ONE entire day of the Los Angeles meeting of the National Municipal League was devoted to a discussion of the provision of the proposed charter for that city. The following report of the secretary of the Los Angeles board of freeholders on the convention of the National Municipal League gives in concise form an idea of how the discussion impressed those most deeply interested:

The benefits to be derived by the city of Los Angeles from the annual meeting of the National Municipal League held in this city cannot be measured in dollars and cents, or in the changes made in the proposed new charter by reason of the advice of the body of experts assembled here during the convention. It would, however, perhaps be well to make as definite a record of the answers made by the experts to the questions submitted to them on behalf of the board of freeholders as is practicable while the recollection of the incidents of the convention is still fresh. It may be assumed that the official reports of the League will in due time be available.

In the judgment of your secretary, the Los Angeles meeting of the National Municipal League will stand out in the history of municipal government in the United States as marking a great, distinct and memorable advance in the application of civil service principles to the highest appointive offices and employments. The president of the League sounded the key-note of the convention in his annual address; and, as the sessions proceeded, he and other men of national prominence, not only asserted the principle of making the highest appointments upon examination and demonstrated that methods have been devised whereby such tests may be made successfully; but heaped up examples of the use of the merit system in selecting bureau heads and officials of high rank in many fields of official activity in this country. It cannot be doubted that the influence of this convention upon the extension of civil service principles will be far-reaching.

The answers of the experts to the first question submitted, namely, "What number of commissioners should the city elect?" were rendered less distinct than they otherwise would have been by the cleverly executed flank movement of a brilliant group of young New Yorkers in urging Los Angeles to reject the commission plan, elect a large city council, and place the management of the city in the hands of a city manager chosen by the council. Those who favored this view were willing to go to great lengths in increasing the size of the governing body. Those who gave their opinion on the assumption that we were to adopt the commission plan appeared to regard the charter provision for seven commissioners as not far wrong, although authoritative voices were not lacking for the typical commission of five members.

The weight of judgment was clearly in favor of the principle of partial renewal, with over-lapping terms.

There was also a heavy preponderance of authority in favor of electing commissioners simply as commissioners, and not to specific posts.

When question number 4 was reached, "Should bureau heads in the several departments be appointed by the several commissioners absolutely, or subject to confirmation by the commission, or should they be named by the civil service board?" the sentiment for civil service methods was so strong that the question whether appointments should be made from the eligible lists by the commissioners without confirmation was overlooked.

Sentiment was unmistakable, too, for the selection of such officials as the city treasurer from the civil service lists.

As between selection of the controller by civil service methods and his appointment in any other way, the opinion was strongly for the former; but no opposition to his election by the people was clearly voiced.

The commission itself was held to be the proper budget-making authority; but no very definite opinions were expressed as to the permanent provisions on this subject.

The appointment rather than the election of the city attorney was advocated. Civil service tests were suggested, but with the admission that perhaps these should apply only to assistants.

The one authority speaking on the subject was so strongly in favor of coördinating the engineering forces of the city that he favored consolidation of the great departments depending for their principal direction on engineers.

The same authority urged that garbage collection and disposal should be under the commissioner of public works, and not in the health department.

It was admitted that there are two classes of efficiency work, one of which could properly center in the controller's office; but the majority insisted on placing the efficiency bureau under the civil service board, and this was advised as making for concentration of this work.

While insisting that the civil service board should be largely independent of the commission, the experts saw the difficulty of getting rid of a negatively incapable board by the recall; and it appeared to be admitted that a unanimous, or nearly unanimous, commission ought to have power to make a change.

The unanimous view was that heads of departments ought to have the summary power of removal of subordinates for cause stated in writing; the party so removed having the right to put his answer on record, but not to be accorded a trial.

The franchise authority to whom all others deferred in his special field, favored the indeterminate franchise, but with a maximum time limit; and

emphasized the importance of so drawing the franchise ordinances or agreements that amortization of the invested capital should begin immediately and proceed so rapidly that the property should belong to the city not later than in twenty or thirty years. He objected to the sale of franchises, insisting that all surplus revenues available should go to municipal purchase. Incidentally, the point was made by another speaker that where existing franchises had long periods to run, they should be taxed. As to interurban railways owning their own right-of-way, it was contended that, rather than put such properties on the same footing as steam railways, the reverse should be the policy and the city should own the terminals of both classes of roads.

The question of the borough system was passed over as applying only to San Pedro and having no general bearing.

The opinion of the president of the League that the public schools are a function of the municipality was not controverted, but there was no extended discussion of this question, in view of local conditions in California precluding the complete absorption of the schools by the city. The point that the charter might provide for an appointive board of education was brought out.

The opinion of the president of the League that proportional representation was practicable under the Hare plan was not seriously disputed.[1] There was some advocacy of the preferential system as practiced at Grand Junction and Spokane.

Los Angeles was heartily congratulated and complimented on the wide scope of municipal power she is reserving for herself; but regret was expressed that the grants or power must be given in such detail.

While the provisions of the city charter for city planning were not criticised as inadequate, emphasis was laid on the importance of providing for city planning on a very broad and inclusive basis.

Finally, the view was expressed that it would not be an objectionable departure from the commission plan to place the library under a board of trustees appointed by the mayor, subject to confirmation by the commission.[2]

Your secretary will have to admit that he is a convert to the doctrine that practically all appointive offices should be filled by competitive examinations. It can no longer be contended that such examinations cannot be made genuine tests of ability and capacity. Methods of making them so have been developed, and their success demonstrated. The Boston method of certification has defeated thoroughly bad appointments; but

[1] Although there were not wanting those who objected to proportional representation on the ground that it introduced the party idea into municipal affairs—C. R. W.

[2] Although the point was raised that libraries properly belonged under the department of education.—C. R. W.

neither that nor any other plan except the civil service method has proven equal to the securing of affirmatively good talent. To relieve the appointing power from the pressure of place-seekers is itself a gain; and the right sort of administrator, armed with the power of removal, can inforce his policies and secure efficient coöperation from a corps of subordinates chosen under the competitive system.

The proposal that Los Angeles reject the commission plan, with its record of almost uniform success, for a European system as yet practically untried in the United States, raises a question worthy of thorough consideration, but one which should be weighed long and carefully before it is adopted. The objection of the president of the League that an American electorate would probably vote for members of the council not so much on their merits as according to how they stood on appointing a certain man for city manager is not lightly to be put aside. The incentive the plan would offer for a campaign to elect a certain number of councilmen and thereby get a certain man for city manager would be pretty strong. Furthermore, such a council, not paid for all their time; not getting the familiar acquaintance with the city's needs which can be obtained only through actual administration, would perpetuate the evils from which American municipal government has so long suffered.

Much was said in the convention of the desirability of separating the representative and administrative functions. The fact unquestionably is that commission government succeeds because it provides a governing body made up of heads of departments and thereby automatically coördinates the municipal activities and puts them on a basis of practical information so gained.

It must be admitted that the lines connecting the electorate, under the commission system with the commission and the department heads composing it, do fork in the diagram representing the flow of authority and responsibility; but the man who lives in a commission-governed city sees the commissioner as he conducts his department and also notes the way he votes in the governing body and is able to hold him responsible, as one man, for his conduct in both capacities. So long as the difficulty is confined to the diagram, it is not likely to prove serious.

The experts gave us an enormous amount of both enlightenment and inspiration. They emphasized many problems which Los Angeles, like every other American city, needs to attack with all the energy, patriotism and intelligence of its citizens. They pointed out with especial emphasis and logical acumen, the need for getting the best expert service in the various branches of municipal business. There is, however, one kind of municipal expert that was scarcely mentioned in this convention—the expert who can both represent and understand the people and manage, in a large, practical way, the work of the technical experts. That sort of expertness—

the expertness of the American business man who employs, organizes, and directs experts and utilizes their trained intelligence—is developed under the commission plan. And that is why it is commanding so ready an assent from the people of so many of our cities.

JOHN J. HAMILTON[3]

CIVIL SERVICE REFORM PROGRESS

THE federal government alone pays out $400,000,000 a year for personal services, and yet, while in the aggregate the United States has more public officials than any country of Europe, every country of Europe has a greater percentage of officials to population. Those who fear increasing "socialization" of the state may find satisfaction in the knowledge that in the United States less is done for the people by government than in any of the older great civilized countries of Europe.

Whatever our views may be on questions of government in the abstract, all good citizens will find satisfaction in the fact that of this vast army of public servants in the United States about 600,000, or nearly two-thirds, are withdrawn from the spoils system and appointed upon a merit basis under laws intended to regulate and improve the public service. Of this number 227,000 positions are under the federal government and the remainder are under the governments of states, municipalities, counties and villages.

The civil service commissions created by the various laws and charters meet in voluntary assembly annually. The fifth meeting of this National Assembly of Civil Service Commissions was held at Spokane June 21, and 22. The proceedings at this conference show that the examinations are becoming more and more in the nature of common-sense business tests of the fitness of applicants for the special duties of their positions; that the civil service laws are faithfully and honestly executed; that competitors, without regard to party, stand an equal chance, and that they are examined and appointed with an increasing degree of accuracy and justice. These conferences are attended by civil service commissioners, chief examiners and secretaries, who bring to the benefit of one another not only the results of their own observations but an enlightened public spirit and an earnest desire to promote the operations of the merit system. The discussions at these conferences are of value not merely to the members of the commissions, but to all citizens who are interested in the reform of the civil service. For the worker in civil service reform they are invaluable, because of the useful and practical information which they furnish and the critical and constructive consideration of questions related to this field of good govern-

[3] Secretary of the Los Angeles charter commission; author of "The Dethronement of the Boss."

ment. The following is a résumé of some of the more important matters discussed.

Honorable M. E. Hay, governor of Washington, in his address of welcome said that he doubted whether any man had ever gone into a political position with the unlimited powers that had been given him, but that he had made few changes in the state government; for he recognized that efficiency meant the retention of good men and assurance that tenure depended upon efficiency. He said that in his message to the coming legislature he would recommend that the departments of the state be placed under a civil service law, and that efficiency alone should determine the tenure of office.

Honorable C. E. Buell, state civil service commissioner of Wisconsin and president of the assembly, said that Wisconsin was the only state that had placed its legislative employees under a civil service law and that it only costs one-third as much a day to run the legislature of Wisconsin as it does that of Oregon, and only one-fourth as much a day as that of California or New York. Since the law went into effect the number of legislative employees had been decreased a little more than one-half and that the legislature had just as efficient help as was possible to be obtained. Before the enactment of the law possibly one-half of the employees performed no duties whatever. A great many women were on the pay roll, but they did no work.

Mr. Berry, of Montana, who had been a member of the legislature of that state, gave instances of door-keepers who never opened or closed a door and clerks who never attended a session. In 1901 a committee of the U. S. House of Representatives reported that the abuses and evil practices which had grown up under the present system of appointment of house employees could not be fully and completely prevented except by a permanent statute which should properly and equitably adjust compensation and employment and specifically prevent the abuses which had been reported.

It is said that no city in the United States has so comprehensive and perfect a charter as Pueblo. The civil service commission of that city is an independent department, free from all personal or legislative interference, responsible only to the people and to the charter. It selects the registrars, judges, and clerks of election, the city comptroller and the judge of the municipal court, and of other than day laborers there are only two excepted positions.

Except in Kansas City, Missouri, no tests of fitness have been required for those already in the service at the time of the adoption of the system. Except in Chicago and Kansas City the merit system has not generally been applied to heads of departments and higher municipal offices. This has resulted in constituting at the outset a classified service of political appointees and in perpetuating political influences by leaving the higher positions subject to the spoils system. Public employment is thus made

uninviting, since it can not become a desirable career because the higher places are withdrawn from promotion as prizes for meritorious service. The higher positions being filled for political reasons, the classified positions fall under political and personal influences; and the spoils system is thus perpetuated. In most European countries neither influence nor party service has anything to do with the choice of officials except in a mere handful of positions that have to do with party policies. Berlin, for example, recently advertised for candidates for mayor of the city. In the list of thirty applicants there were state and city officials, merchants, educators, and leaders in great industrial enterprises. While it was likely that a Berliner would eventually be chosen for the post, an outsider might be taken from any part of the empire to preside over the destinies of the city. In the United States the merit system is largely confined to the lesser positions, but in the instances where trial has been made of the application of tests of fitness to heads of departments and highly technical positions there has been conspicuous success in obtaining well qualified men. Such positions as chiefs of division would ordinarily be filled by promotion, but where the lower grades do not furnish the requisite qualifications it becomes necessary to hold an open examination. In the federal service among the high grade examinations recently held by the commission are the following:

Chief mechanical engineer, bureau of mines	$4800
Associate statistician, interstate commerce commission	3000
Quarry technologist, bureau of mines	3000
Metallurgical chemist, bureau of mines	3000
Chief physical chemist, bureau of mines	4000
Indian reservation superintendent	3000
Chief irrigation engineer, Indian service	4000
Chief of drainage investigations	4000

Examinations of the character cited are almost without exception non-assembled; that is to say, no scholastic tests are given, but qualifications are determined by general and special education and training, technical and professional experience and fitness, and sometimes theses are required. The results in these high-grade examinations have continued to be very satisfactory, and in each case the civil service commission has secured persons of the very highest attainments.

In his retiring address as president of the assembly Joseph C. Mason, of Illinois, said; "The honest awarding of positions to one thousand persons annually in the city means that you are distributing a leaven that will stand by and fight for the civil service law because they know that it is on the square." He contended that bureau chiefs should *not* be exempted, saying that "with six years experience in practical work I say the merit system never will have the confidence of the people with the fountain head poisoned," and that doubt was thrown upon the honesty of the intentions of those

administering the merit system because the spoils system is perpetuated "when you exempt heads of departments from the classified service." He added:

> Now, let us be frank with each other and the public. You know you believe the department chiefs should be in the classified service. You only permitted the exemption as a compromise because you knew you could not get any law through unless the best paid positions were exempted in order that they might be utilized by the organization in power. The only fair stand for you to take thereafter, then, is to tell the people the truth and let the fight to put the major positions in the classified service begin at once. If you do not you will never have a satisfactory merit system. Personally I know the big offices can be filled to the best interests of the public under the merit system. If you do not believe it take five positions at $5000 or more that have been filled under the merit system and compare them with an equal number where political appointments have been made. You will be surprised that you ever thought there was a legitimate excuse for making exemptions of this character. . . . . You can not mix politics with the merit system . . . . The people do not know which is the political appointee and which is the merit employee. The result is that the merit system is charged with all the ills and gets no credit for anything good.

President Taft has repeatedly urged that Congress authorize the extension of the classified service to presidential officers outside of Washington, such as postmasters and collectors.

The commission form of government has in one-third of the cities adopting it been accompanied by the adoption of the merit system. A. M. Fitzgerald, president of the Springfield (Ill.) city commission, stated that an experience of more than a year with the merit system under the commission form of government and a comparison with it under the city council system convinced him that it was possible to have a much more efficient system and that much better results are obtained under the commission form; that the city council, composed of aldermen selected in various wards, was not so intelligent as a city commission; and that the character of the commission was superior to that of the old city council. Thus it is possible to obtain more sympathetic coöperation between the civil service board and the heads of departments. Under the old system the mayor, desiring to have control of the council, was compelled to distribute the various jobs among the aldermen although he was at heart in sympathy with the merit system and anxious to assist the civil service board. Heads of departments, although appointed by the mayor, knowing that their appointment was due to a certain alderman who was not in sympathy with the merit system, would not assist the civil service board. Thus the board would be openly antagonized by the head of a department whose sympathy and support were essential. Under the commission form the head of a department super-

vising and directing the work of the city government is in intimate relations with the civil service board and mutual respect is established. The city council was always hostile to the merit system, while under the commission form friendly relations prevail with the city heads and healthier conditions exist. Thus we find that the merit system has made great advances in those cities in which there is a commission form of government. He urged that the friends of the merit system should seek to bring about a change from the city council system to the commission form as promoting the merit system.[1]

Thomas C. Murray, assistant chief examiner of the New York City commission, said that very good results have followed from the order of Mayor Gaynor under which all appointments and promotions are made in the order of standing upon the eligible list. The civil service rules have been rigidly enforced in New York City and in every case the rulings of the municipal civil service commission have been upheld by the highest courts. The promotion system based upon efficiency records has proved practicable, and promotions are based upon merit and competition and upon the superior qualifications of the person promoted as shown by his previous service. For the 33,000 employees in the competitive class these efficiency records are the sole means for determining the rating to be given for efficiency in promotion examinations. The examinations have been made thoroughly practical and purely scholastic tests have been eliminated.

A bureau of investigation has been established to inquire into the character of applicants for examination and a personal interview is given to each candidate. In the employment of laborers eligibles are certified in the order in which they have filed their applications, but it is believed that better results would be obtained if the law authorized a system of competitive registration, dividing qualified candidates into three general classes depending upon the result of a practical examination and past experience. For unskilled laborers a natural qualification, such as strength and agility, would determine the class in which the candidate would be placed. Notwithstanding the strike by the laborers employed in the department of street cleaning, the regulations were adhered to and the new men were all appointed in accordance with the law.

JOHN T. DOYLE.[2]

[1] See Mr. Goodwin's comments in article on "Civil Service Reform at Los Angeles," p. 639—EDITOR.

[2] Secretary of the federal civil service commission and of the National Assembly of Civil Service Commissions.

LEARNING TO USE THE RECALL

USE of the recall has been learned by the people of Tacoma, Washington, through its abuse, in the paroxysms of a political convulsion which gave the city four recall elections and one referendum election within a period of less than two months, an experience which well-nigh persuaded the people that the recall was a governmental function undesirable and vicious.

Tacoma with the recall was "like a small boy with a new knife, ready to carve everything in sight," and the similar behavior of Tacoma's sister city, Seattle, bade fair to prove that the recall would be always the weapon of the discontented minority, no matter which faction might be temporarily in power.

The very fear which Tacomans had on this score, however, made them smother two later attempted recalls, and the city now has its governmental instrument of punishment laid up for judicious use, like the father's hickory stick over the door, to make the mayor or city councilman, like the small boy, think twice before he steps from the path of rectitude.

Tacoma, a city of approximately 100,000 inhabitants, adopted the commission form of government October 16, 1909, with a new charter providing the privileges of the initiative, the referendum and the recall.

The first council chosen under the new form of government consisted of A. V. Fawcett, mayor; L. W. Roys, Nicholas Lawson, Owen Woods and Ray Freeland. The recall was first urged against Commissioner L. W. Roys of the department of public safety, on the allegation that he permitted the existence of a vice district, in violation of the state law. The first recall charges were filed, however, against Mayor A. V. Fawcett, who, in the fall of 1910, secured the passage of his anti-treating ordinance, which made it a misdemeanor for any bartender to sell intoxicating liquor to any person to be drunk by another on the premises. The saloon interests appealed to the referendum and compelled the calling of a special anti-treating election, which was set for March 21, 1911.

January 17, 1911, recall charges, inspired, it was believed, by the saloon interests and the agents of special privilege, were filed against the mayor. Many of the charges were vague and the movement progressed at first slowly and was regarded almost as a farce.

When the Fawcett recall was started, the reform element still was fretting about Commissioner Roys and the vice district. A great mass meeting was held January 30, 1911, at which it was decided not only to recall Commissioner Roys on account of his policies but to recall the mayor and the remainder of the council for failing to bring him to time.

The city council on the morning following this meeting instructed the police department strictly to enforce all laws, which it commenced to do

by stopping a prizefight on the evening of January 31. Fight enthusiasts were displeased and many business men were chagrined at the disappointment to which crowds of out-of-town visitors were subjected, and within a few hours 800 names were added to the Fawcett recall petitions.

The church and reform element and the sporting, vice and special privilege element were now aligned, both working against the mayor. Only 3072 signatures to the petitions were required, this number being 25 per cent of the number of votes cast for mayor at the preceding election, at which the vote had been light. The success of the recall was additionally furthered by the fact that woman's suffrage had taken effect since the preceding election, thus doubling the number of electors without increasing the number of signatures required. Under such circumstances sufficient signatures were secured, and an election was called for April 4, 1911.

The anti-treating election was held meanwhile and the anti-treating ordinance was sustained.

With the recall petition completed, a bitter campaign ensued. The charges, as filed, were practically forgotten, the election becoming a mere political fight. Mayor Fawcett appealed to the people as to a jury, which should decide whether the accused were guilty or innocent. Many voters, however, looked rather on the recall as a means by which the city might discharge one employee and hire another, as it would choose. A. H. Barth, Socialist candidate, took enough votes in the first election so that no one received a majority, and a second election, April 18, was necessary before W. W. Seymour finally was elected mayor, with a majority of 733 in a vote of 21,711.

The people were now sick of politics and many willingly would have dropped further recalls, but in the meantime charges had been filed against the four councilmen, and sixteen candidates, in addition to the four incumbents, had appeared. Two elections, one May 2 and one May 16, were necessary to secure a choice. Commissioner Roys was defeated by F. H. Pettit and Commissioner Lawson was defeated by Benjamin J. Weeks, while Commissioners Freeland and Woods retained their positions.

The recall, as an instrument of sane government, was now practically discredited in the minds of the general public.

Defeated through the use of the recall as a political tool, and defeated by an indecisive margin as a result of a peculiar combination of circumstances, Mr. Fawcett and his followers smarted at the seeming injustice of the mayor's summary dismissal. Encourged by subsequent events at the city hall, members of the Fawcett camp filed recall charges against Mayor Seymour, January 13, 1912, nine months after his election. The mayor was accused of faults equally vague with those by which the recall of Mayor Fawcett had been secured.

This new recall movement, however, was greeted with chilling response.

The News and *The Ledger*, newspapers of Republican National Committeeman S. A. Perkins, which had urged the recall of Mayor Fawcett, naturally opposed the recall of Mayor Seymour, and the public in general expressed disapproval. Told that the recall of Commissioner Weeks was generally demanded, the recall workers now filed charges against the commissioner, hoping thus to aid their cause. Commissioner Weeks granted certain concessions, at which action *The Times*, the Scripps-McRae paper on which the Fawcett forces had based their whole hope, declared against the recall not only of Weeks but also of Seymour. *The Tribune*, independent, likewise opposed the recall, and with public sentiment averse to more politics the recall movement died.

The attempt frightened some of the people, however, and a move was made to draw the teeth of the recall by increasing the number of signatures demanded and by requiring that the petitions be signed at the city hall, but this agitation was quieted and the recall remains operative, a powerful civic weapon, as before.

Curiously enough, at the last general election, Commissioner Lawson was re-elected to the position from which he had been recalled one year previous, the indication to the public being that his removal had been little more than a political circumstance rather than an evidence of unfitness.

That the people of Tacoma, through their abuse of the recall, have learned its use, is evident. The vexed problem of the so-called social evil still is before the city of Tacoma, and there are various indications, from meetings at the city hall, private and public statements and articles in the newspapers, that if, at the end of the six months' probation period of present Commissioner of Public Safety A. U. Mills, there is a considerable body of people dissatisfied with his solution of the problem, recourse to the recall will be attempted again.

The recall is not dead, although the temper of the people is such that they would not readily consent to its being abused now as it was at first, even if conditions could arise which would make such abuse a second time possible.

Edward F. Mason.[1]

[1] Of the editorial staff of the Tacoma *Tribune*.

"TO EXPRESS OUR GLADNESS THAT WE ARE AMERICANS"

HOW ROCHESTER IS BEGINNING TO SOLVE THE IMMIGRATION PROBLEM

IT IS the purpose of this short paper to notice how the people of Rochester are meeting the immigrant problem and indicate generally what they are doing for the newcomer to our shores. It is not possible to give a thought to this subject in relation to Rochester, without being tremendously impressed with the opportunity that is offered to write another article on "How the Rochester immigrant is meeting the American problem, and all that he is doing for his city." Of course in one sense all of our citizens are immigrants or the children of such, but Rochester still has a large number of men and women who were born over the seas who have made good and done good here. Most of these men are either German or Irish and it may be this fact combined with this other: that the new immigration has not swamped the city, that accounts for the unusual manner in which this city has said its word of welcome. Probably most of all, the best things about Rochester are due, as in other places to the large number of men and women of civic and social vision; these have made the city a pioneer in many activities that soon all American cities will make common custom.

A word is perhaps needful on the quantity and quality of the immigration found in Rochester. The largest foreign element has always been German, according to the census. We write "according to the census" as it is quite a query whether the last census has accurately numbered the Italians in only reporting 10,638. The very general opinion among Italians and those intimate with them is that there are at least 20,000. The Italian consul was not afraid to say 30,000. Whatever be the truth, and it is very possible that the consul is nearer the truth—as there is more than one way for accounting for the mistake—it is Germany which has led in numbers during all the years. At the last census, 14,582 persons of German birth were in the city. To simply note the groups having more than a thousand representatives in the city we should have a table something as follows: Germany, 14,582; Italy, 10,638; Canada, 9642; Russia, 7144; Ireland, 5230; England and Scotland, 5888; Austria, 1693; and Holland, 1220. Most of the Austrians are Jews, as are nearly all of the Russians. The total foreign white population at the time of the thirteenth census was 58,993 and the total white population of foreign parentage was 83,687. Yet 91 per cent of the school children of Rochester were born under the stars and stripes, a fact easily explained, which also cancels nearly 100 per cent of the so-called menace of recent immigration.

We cannot tell of all the possible channels through which may flow the assimilative influence towards the new citizens, but we will enumerate those which seem to us most useful. Historically and perhaps scientifically, the charitable organizations call for first mention. The great needs are first seen by the minorities, and private funds pioneer great civic enterprises through the day of experiment towards the days of public control. One of the earliest and still very efficient channels of help for the newcomer is the Rochester Social Settlement in the ghetto. A quiet sympathetic gentile woman has here endeared herself to thousands by her superintendence and wise neighborliness. If the true definition of a friend be "one who knows everything about us and loves us just the same," then no Russian men or women who come to make Rochester their home are long without a friend. The Jewish people have responded splendidly to the spirit of Rochester and each year their young men are found carrying off the prizes at the university, their fathers succeeding in large business undertakings, and throughout the ghetto a larger earnestness for the common good is to be found. The Russian Jews have to fight hard to prevent themselves from becoming socialists, it seems their natural political expression, and many of them in Rochester have been captured by or have captured the enthusiasm for *such* democracy, and be it said to their credit, theirs is usually an intelligent attachment. Spargo, Scudder and Hillquit and certain "intellectuals" in Rochester itself are not without influence in this assimilative process. The welcome which charitable societies have given to the Jews would not be complete without some brief mention of the work of the Rochester Boys' Evening Home, which is the oldest boys' club in the city and one of the oldest in the country. Long before the schools thought there was any need to meet the needs of these little newsboys with dreams in their eyes, this club, which was founded and fostered by the Unitarian Church, not as a church club, but as a boys' city club, was meeting them with lessons in spelling, arithmetic, geography, drawing and bookkeeping with wonderful readings in Shakespeare and Browning. Some of the old boys are rich business men and rabbis, many are in humbler ways, but all look back, write back and talk back of the days when they met in the old hall with men and women of all creeds, who were there because they were glad they were Americans.

Another of the large charities which is touching the immigrants of Rochester is the Infant's Summer Hospital. This group of buildings is situated on the breeze-swept shores of Lake Ontario. Every summer large numbers of foreign mothers have little sick babies in need of such care. It is the custom of the hospital to have the mothers stay at the lake with the infants until they are better. This affords the nurses the chance to instruct the mothers in the new domestic and hygienic ways. The standards of the American home are thus placed before them, and when they

return to their crowded streets and homes, something is going to be different as the result; something is going to be better in care of food or milk, so that soon is born in them "the gladness that they are Americans."

Of more recent work among the immigrants of Rochester a little should be said of the Rochester Housekeeping Center and the work of the North American Civic League for Immigrants. The center was started by a group of young college women some five years ago in one of the large Italian colonies in the northern part of the city. They rented the ground floor of a small Italian home, with an Italian family living upstairs; and here in the center of the colony they tried to set the example of American neighborliness. A settlement worker and a nurse are now the constant workers in the new cottage which they own, and by only living on a scale within the means of their neighbors they are one of the most intense influences for good Americanism among the women and children that the city possesses.

The North American Civic League for Immigrants has recently sent its agents among the Poles of the city, and after a survey had been made they started to rouse public opinion in regard to the somewhat isolated character of these new comers. They are starting a library and English classes among them also, as the school house is some distance from the colony. Much more could be written of the general spirit of interest in the immigrant, which runs through the whole social atmosphere of Rochester. The hospital social workers find their way into the homes of their foreign patients after they have left the wards, to help them protect themselves from the evils that led to their sickness, many individuals have started little classes in the homes for general education and domestic help of the foreigner. We have heard of a good motherly lodging-house keeper who seemingly only wanted to have Rochester Greeks in her rooms, so that she could give her spare time to teaching them freely and advising them in regard to the many things that they did not know.

Whether the reader thinks the immigrants deserve it or not, they are certainly well thought of in this city. Whether it be the laying out of playgrounds, or the opening of a social center or the appointing of school nurse, it is the immigrant who is first served, whose districts are first benefited.

The last development in this immigrant enthusiasm came from the City Club, a body of some five hundred business and professional men. Three years ago they conceived the idea of giving to all the newly naturalized citizens of the previous twelve months, a banquet of welcome, at which speeches from hosts and guests might be given to "express our gladness that we are Americans." The first banquet was given three years ago on the Fourth of July, and as one reported it after, banker and sewer digger, city official and factory hand sat and ate together at the common board and afterwards joined hands around the large banquet hall and sang

the national anthem. The next year a larger number gathered together and this year the success was most enthusiastic.

Instead of gathering in the large hotel headquarters of the City Club, the "Welcome Feast" was held in one of the large school houses. This was done for more than one reason. It embarrassed the immigrant less who had not been used to hotel dinners, it made the whole atmosphere more democratic, and it started the idea which has long been in the minds of those who have fostered this movement in Rochester, that some day in the future, when the coming American is really here, all the school houses—as the true temples of the people—will have a spread once a year "to express our gladness that we are Americans and our re-consecration to the cause of democracy." To this coming feast the twenty-one year old American and immigrant alike will be specially invited and each school district will have its separate celebration of their entrance upon the duties of that democracy and seek to make that entrance significant. The judges who grant the naturalization papers to the immigrants are usually invited to be the toastmasters of these occasions, to thus assert the fundamental fellowship of true democracy not only on the bench, when the immigrant is awed, but at the dinner table when the immigrant is glad. This year the assistant corporation counsel gave the official word of welcome to the city and this was responded to by a young man from Poland, who had taught himself the language at evening school and at home and was now about to enter the university.

Then three well experienced citizens gave a symposium on American ideals, one speaking after seventy-three years' knowledge on the "ideals of the American home," a school commissioner on the "ideals of the American school" and then a progressive lawyer on the "ideals of American politics." At the close the whole body of men rose and said the old freeman's oath together: "I do solemnly bind myself that I will give my vote and suffrage as I shall judge in my own conscience may best conduce to the common weal," ending with an enthusiastic singing of the first verse of "America."

It is felt that the day will come, not only in Rochester and the two or three other cities which have copied Rochester, but in all American cities when the annual welcome day for the new citizens will be a festival day as much as Independence Day; it might even become the new independence day, or as has been suggested, the "interdependence day."

The work however that is beginning to appeal most to the city of Rochester is not that which is accomplished by any charity or club, but which is the expression of the community and finds its illustration in the schools. The American public school is the great and most permanent influence on the newcomer. The little tot that can only prattle its mother's language, comes and finds kindly teachers waiting to lead it into the mysteries of the

new tongue. The pictures on the walls, the plants in the windows and the boys and girls who have been here a few months longer, but who have not forgotten the strangeness of the first day, coming forward to greet the little strangers all seem to add to the glad-to-see-you spirit that pervades the entire building. Through the universal language of action the Rochester schools are reaching out to the little strangers so well that it is a frequent thing to find some of the scholars, especially the little boys from Russia, finishing the eight-year course in five and six years. One pupil wrote a month or so ago: "I came to America six months ago and I like to live in America all the time. In America the people are kind. I like much better American school than Russian school." One teacher writes to us: "The expression of the face and the general bearing of these children change after they have been in the schools only a few months." The frightened look goes and more life and fuller comes.

The schools of Rochester some years ago led the country in the recognition of the fact that the school house was the true club house of the people, and that it should be made efficient for the needs of the entire community. In no parts of Rochester did this new principle of the social use of school buildings find greater welcome than in the immigrant sections. The famous "Number Nine" was in the heart of the ghetto, and soon became the soul of the neighborhood. Again and again visitors from the city and all parts of the country have gone to Rochester to witness the thousand men and women gather in the large auditorium for their Saturday evening meetings. To hear the different dialects and broken English voices ring out verse after verse of "Abraham Lincoln Forever," or "the Star-Spangled Banner" has made eyes on the sternest faces wet. The school had become their dance hall, their domestic science academy, their lecture course, their civic club and all the common needs of the citizen were beginning to be met.

This is still true though the man who fostered the spirit of neighborhood most of all in the schools of Rochester has been called to the national work in Wisconsin, and the present administration is trying to keep up the old ways by letting the principals supervise what they are but in few instances fitted for. The principals have not the time to foster the neighborhood spirit, they can only superintend clubs and classes, and this is the smallest part of the work of the social centers. Adequate or inadequate, the social centers and civic clubs with the regular evening schools are doing or rather allowing the immigrant to do for himself far more than any charity can ever hope to do. It was very interesting to see young men and women who had been led to the American spirit at the social settlement, seriously decide that since the school house was truly democratic and the settlement was supported by charity, they could not any longer consistently attend any of the "doings" at the settlement. Much of the pettiness of spirit, however, was worn away at the center and radicals became better

spirited and less radical, and conservative opened mind and heart in broader recognition of human values. It was as they used to sing to the tune of "Mr. Dooley."

There are a lot of races here in our communitee
English—French—Italian—Greek—Hindoo—Dane—Swede—Chinee
And sometimes they forget that we are all one familee;
But there's a place where this is just the fact you will see.
It's-at-the-Center. The Social Center
The place where everybody feels at home:
Forgets the external and gets Fraternal;
There's something doing there—You'd better come.

Eugene Wood had the right estimate when he said of the "Little Old Red School House on the Hill:" "It is the true democracy which batters down the walls that separate us from each other—the walls of caste distinction and color prejudice, and national hatred and religious contempt, all the petty, anti-social meannesses that quarrel with the 'union of hearts.'"

There are some in Rochester as in other cities who talk about the menace of the recent immigration and who ask for greater restriction. There are some in Rochester as in other cities who learn all they know about immigrants from sensational news items about the passionate murders of Italians. There are some in Rochester as in other cities who do not believe in our immigrant factory hands and laborers protesting in strike against the low wages and evil conditions under which it is imagined they can work. There are some in Rochester as in other cities who think that anything will do for a "dago" or a "sheeny," and that a laborer killed is "*only*" a "wops"; but there are some who, at the sight of the Greek bootblack, think of him as a young fellow from Socrates land, "fresh from the master Praxiteles' hand." There are some who at the sight of the Pole, dream of Chopin and the wild Czech melody with which Dvorak used to make the heavy faces bloom. There are some who, when they see the Italian ditch digger, go four centuries back, "when a world from the wave began to rise," who remember that when Italy dreams, Caesar, Dante and Angelo come with us to dwell. To dream but an hour with some of these, is to pray the prayer with Robert Haven Schauffler:

Newcomers all from the eastern seas,
Help us incarnate dreams like these.
Forget, and forgive that we did you wrong.
Help us to father a nation, strong
In the comradeship of an equal birth,
In the wealth of the richest bloods of earth.

EDWIN ALFRED RUMBALL.[1]

[1] Editor of *The Common Good*, secretary of the City Club.

HOW A TOWN CAN HELP ITSELF AND THE COUNTRY

EVERYONE in America is expected to help himself and his family, but the idea that a man owes a duty to his town and community is a surprise to most of us. Even more unusual is the belief that towns like individuals owe a duty to themselves and the country which surrounds and supports them. Most towns are satisfied to rely for prosperity upon the initiative of their individual citizens, it seldom occurs to them that they can do something for themselves—that they ought to do so if they hope to be truly prosperous. Neither do they realize that neither town nor country can prosper alone, but that both must put their shoulders to the wheel of progress if either is to prosper as it should.

After all if the town lives "off of the country" it is on the same level as a man who lives "off of another man" which means he is a parasite whether he is a beggar or a capitalist. Town and country must pull together or neither will go forward.

How the town can help the country is not at first clear. It is easy enough to see how the country can help the town; it can produce heavy crops which will give good profits to the dealers in country produce, it can spend freely to make the merchants prosperous so that town property may become desirable which in turn will make it possible to light the streets and perhaps even to pave them. But what can the town do for the country? No one knows until he tries, or rather no one knew until someone tried. The towns have tried various single schemes; some made free markets and succeeded, some helped build roads and bridges and that helped both the country and the neighboring city, but there were few towns that set out to find *any and all ways* they could help the country roundabout—and therefore themselves. After a town tries it, not in the half-hearted way in which a "reform movement" is run, but with the enthusiasm and determination of modern business methods, it doesn't hide its light under a bushel—it couldn't if it would.

One of the towns which has made the experiment and is keeping right on trying it is Fond du Lac, Wisconsin. The story reads like a fairy tale, but seeing is believing and if you go to Fond du Lac you will see that it is true. Like most middle Wisconsin towns Fond du Lac, years before its awakening, had a business men's association, and like most business men's associations, that organization met yearly, ate a good banquet and lapsed back to inactivity. Both the town and the business men's association, like examples of the same species all over the state, resembled Mr. Finney's turnip "that grew behind the barn" they "grew and they grew" and so far as any one could see they "did no harm." They didn't try to *do things*, but they grew because it was the natural thing for their kind to do in Wis-

consin. But that state of mind came to an end, something or somebody set the town and its business men thinking. Why not go after things instead of waiting for them to come?

Instead of passing resolutions and letting it go at that the business men's association this time decided to do a very American thing—to have some committees, seven of them. At the head of each was a man who was a live wire, he had made a success of his own business and he was now to make a success of his committee—for the town. Manufactures and finance good roads, trade extension, city government, civic art, commercial travelers and publicity, these indicate the lines on which the town was going to try to *do* something. Other towns have gone that far and failed, but Fond du Lac went farther. It was developing a "community sense" and the men on the committees got up every morning to think what they could do for the town. What *did* they do?

The committee on manufactures and finance studied the plant, that is the first element of success—to find out what industries the town needs and what ones it could most easily support. Then they went out to find firms which were just worrying along because of lack of a good supply of raw material, or a bad labor market, or poor transportation facilities. To those in charge they showed the possibilities of Fond du Lac. It wasn't a process of stock subscription and voting exemption from city taxes for a term of years in order to induce a weak firm to add its weakness to the town. It was an endeavor to get those to come who would reap advantage from the better conditions which the town had to offer. The merchants of Fond du Lac did not proceed on the theory that stealing an industry from another town made their own city richer, but on the plan of letting the advantages of the town be known and relying on common sense to do the rest. New industries were introduced, such as wood working, brick making and the like for which the location of the city was especially suited. An illustration is what was done with a large factory which had remained idle for several years after a large boot and shoe concern had gone into liquidation. A typewriter company with a capital of $365,000 was shown the advantage of location which the city had to offer. It took over the empty factory and started business with an initial order of 2500 typewriters on its books, for the people of Fond du Lac and vicinity support home industries.

New business alone can't make a town, so the members of the organization interested themselves in securing fresh working capital for old concerns, placing them on a sound financial basis. The theory was that if any sacrifice had to be made it would be better for Fond du Lac to lose a new manufacturing concern than to have an old manufacturing concern lose in Fond du Lac. Details would make the story too long, the success of the effort is shown by the result—there is not today one empty factory building in the city.

The good roads division realized that *its* work was essential if the town was to reach the country and the country reach the town. They secured D. Ward King, the inventor of the King Road Drag, to come to the city to speak at a good road congress to which were invited the town chairmen and road supervisors of the surrounding counties in the endeavor to encourage coöperation in securing good roads. One of the local implement manufacturers became interested and started manufacturing the road drags. Ten were presented to the city which immediately loaned them out to the supervisors of roads leading to town. Other townships bought their own. The local automobile owners united to give prizes for the best kept roads. Many of the townships voted increased money for the construction of roads so that they could avail themselves of the state aid for road building which, with the support of Fond du Lac's representatives had recently been secured by law. The better roads made Fond du Lac an easier market. Produce came to town from greater distances, business in farm products became more thriving than ever before and on the other hand the attractiveness of country life was increased.

The committee on trade extension did its part in encouraging people to come to their progressive city. No one will come to buy unless he knows what the merchant has to sell so the committee started a "trade pusher" which they called the *Fond du Lac Trade Extension.* Twelve thousand copies of each issue were mailed out into the surrounding counties. The paper carried no local news but devoted itself to advertising the goods of the local stores and contained articles on good roads, pure bred stock and seeds, besides a column devoted to valuable hints to farmers. This helped the country, it showed the farmer how to raise better cattle and crops—and incidentally it brought trade to town.

Interesting schemes were adopted to increase the popularity of the sheet. Each issue contained a coupon which if signed was accepted as a ticket at any of the afternoon picture shows. Story and rebus contests were included with prizes of $8, $6 and $4. The public interest aroused is shown by the answers sent to these problems. The first month 230 answers were received, the second month 524, and lately about a thousand a month. This meant the paper was being read. Did it pay? It did. The paper was self-supporting from its first year. After paying all expenses including printing, distribution, prizes and the manager's salary the year was closed with a balance of $350. So popular was the paper that in the second year the advertising space was over-subscribed and the space originally allowed to each firm had to be cut down to keep the publication within its usual size.

The same committee chartered a steamer for week-end excursions from nearby villages. A nominal fare of 25 cents was charged which was rebated if more than $5 was bought in town. They established a rest room where visitors could go to wait for the interurban car which was to take them

home and to which they could have their purchases sent until they were ready to take charge of them. All this helped trade. It helped both town and country and has the enthusiastic approval of both merchants and customers.

The civic art committee also did good work. They convinced the merchants that "trade follows the light" and that a well-lighted city is a well advertised city. Publicity of the right sort brings trade and trade means prosperity. Travelers who stop in a city always notice its lights and travelers carry tales. If a city is well lighted it is set down as a live town. If its streets are dark it is dubbed a "dead one." A committee waited on the merchants to secure their coöperation in installing an ornamental lighting system. The money was raised by the abutting property owners, and the city, having agreed to maintain the lights, the system was turned over to it free of charge. Allied with this effort for the city beautiful went a number of plans to create an awakened civic pride. School children were encouraged to cultivate flowers around their homes and to take pride in the appearance of the streets, a general city house cleaning day was inaugurated and prizes were offered for those who were especially active in making the city in its outward appearance a more beautiful and a better place in which to live.

All this was not a process by which the city tried to lift itself by its bootstraps. It wasn't a purely selfish attempt to secure a better position at the cost of the neighbors. Just as at the bottom of every operation in business there ought to be mutual profit for both customer and merchant so there was here a spirit of all round helpfulness without which the plan could not have succeeded.

The illustration is local, but it carries a general lesson. America has so long been proud of the energy of its individual citizens that it stands in danger of overlooking the common good and what can be accomplished by a long pull, a strong pull and a pull all together. Not every town perhaps can accomplish what is being done in Fond du Lac, but there are thousands scattered over this broad country of ours which could duplicate or exceed what this one town did, and thousands more, though their position does not allow such signal advance, could profit in a lesser degree and make home more attractive and life more worth living by just these means.

Such efforts do not bring blessings to the town alone. When the town is made more attractive and easy of access life is more worth living in all the country round about. Prices are better, for every mile of good roads brings the farm nearer to market and the ease with which products find their way to market has an important influence on the price which is paid. Most important of all are the changed educational and social conditions which propaganda of this sort bring to the farming community. Country life loses its lonesomeness and is made broader and more attractive than it

was before. Both the advantages of the town and the beauties of the open fields are brought home to the farmer in a new way. The town which starts out to help itself brings a blessing quite as great to its neighbors.

CHESTER LLOYD-JONES.[1]

RECENT GRAFT EXPOSURES AND PROSECUTIONS

IN THE graft exposures and prosecutions in cities and towns of the United States for the past six months, Chicago provides the best example of quiet, patient and effective investigation. There is a marked absence of spectacular effects that suggest skillful advertising in Chicago's latest excursion into the world of graft; and what is better, there are indications of constructive work of great practical value.

At the request of Henry Ericsson, commissioner of buildings, the civil service commission of Chicago conducted an inquiry into the methods and systems in use and the organization within the department of buildings, continuing from December 28, 1911, to May 6, 1912. In this investigation the commission had the assistance of the experts of the efficiency division, James Miles and J. L. Jacobs as examiners in charge, with the coöperation of Leon Hornstein, assistant corporation counsel.

There was time to be thorough. The methods of trained investigators were employed. The men charged with the unpopular task of unearthing the facts were protected in their positions by the rules of the civil service; but despite these favoring conditions the task set before these men was no simple one.

The duties and obligations of the department of buildings are of a broad and comprehensive character, and its power for good or evil exceeds that of any other department of municipal government except the department of police. These activities and powers at one time or another, directly or indirectly, affect every inhabitant and enter intimately into the commercial life of the city.

The tremendous growth of the department, lax administration, ulterior influences, lack of trained and reliable employees, incorrect lines of organization and greed on the part of the builders, and graft on the part of employees, have all had their part, not only in bringing about a demoralization of the department, but in adding to the difficulty of discovering faults and abuses and in ascertaining and applying the necessary corrective measures.

As a result of this investigation 1244 violations of the building code were disclosed. Of these, 182 separate violations were of the section relating

[1] University of Wisconsin.

to habitable rooms, bathrooms, pantries, requirements as to ventilation and lighting; 146 separate violations concerned rooms, sizes and height of attic rooms; 112 violations dealt with constructing buildings contrary to approved plans.

The actual number of violations of the ordinances is not represented in this total of 1244, as the separate times a violation was discovered in any one building were not noted in this list. The actual number of violations of ordinances in 500 buildings is estimated approximately at 1800. This is an average of about 7 violations to every 2 buildings in which violations were found.

The present building code of Chicago is proclaimed by the commission to be as strong, comprehensive and adaptable a code as exists in any city in the country. It has, they say, stood an excellent test and proven itself standard, inclusive and powerful.

The revised building ordinances adopted on December 5, 1910, and amended to date, have been found to be as complete and strong a set of rules and regulations, safeguarding property and persons, as are in existence in any city in this country.

How, then, did this model building code come to be violated with impunity? The story is told in the fifty-nine page report of the commission from which quotations are made above and below.

An investigator hints at one of the most fruitful sources of violations as follows:

On several occasions while making investigations, the owner or contractor would drop hints about paying money or having paid money to other inspectors and in several cases money was offered directly to me. They seemed to take it for granted that I was the inspector of the district.

In addition to the temptation to graft here suggested, these powerful ordinances were rendered practically null and void by the practice of the council in allowing violations by special orders.

A careful examination of the proceedings of the city council, from May 1, 1911, to April 29, 1912, a period of one year, shows that about 350 council orders were issued in connection with building construction. The greatest number of these allowed violations in buildings which are located in congested districts and neighborhoods where danger to persons and property is greatest. One particularly objectionable and notable practice is that of passing council orders which do not state definitely what violation or violations are allowed. In 212 cases, or about 60 per cent of the 350 building council orders passed during the period above mentioned, the statement of violation or violations to be allowed was neither definite nor explicit. As the result of these indefinite orders—often introduced to get around a just inspection by the building department—designing contractors and owners have profited greatly by erecting buildings with many violations.

Some cases have come to the attention of the commission where buildings erected in violation of the code were countenanced by building inspectors until such time as a council order was passed.

After specifications along this line and further censure, the commission summarizes the results of the inquiry with clear cut conclusions among which are:

That the building inspection situation has been a weak spot in the municipal government and that inspections of construction and alteration work involving approximately $100,000,000 a year has been ineffectively and uneconomically performed because of the department's lack of scientific organization and fixed responsibility.

That because of the many past years of laxity in supervision and an inadequate system of records the discipline of building inspectors was particularly low and insubordination was rife throughout the department.

That bribery was countenanced by contractors, owners, building inspectors and assistant inspectors in charge.

That many inspectors deliberately overlooked serious defects in construction of buildings and waited until the structures were near completion and then "held up" contractors and owners, threatening to compel them to repair the defect or defects unless given "hush" money.

That many inspectors consistently and regularly held up innocent owners and contractors for amounts varying from $5 to $200 for tolerating certain violations.

That the issuance of a permit to construct or alter a building often served as a signal for someone to go out and arrange to "fix up" matters.

That investigators of this commission, checking up the work of building inspectors in the field, were offered and received (in the presence of detectives of the police department) bribes from contractors and owners.

That the conditions above noted have been largely due to:

a. No fixed responsibility or effective system in examining and checking of plans, and following up approved plans.

b. No fixed responsibility or effective system in checking movements and work of inspectors.

c. Loose systems in requirement and issuing of reports and preserving records, plans, etc.

d. No uniformity in division and in methods and procedure of inspection work.

e. No permanent record of rulings and interpretations of certain sections of ordinances.

f. Immunity of inspectors from criminal prosecution, because they are not "officers," and no determined effort to proceed against contractors, owners and architects, who regularly violated provisions of the building code.

After thus pointing out the faults specifically the commission in language no less plain and direct suggests the cures for the department's evils. Prominent among the recommendations are the following:

That an amendment to the code be passed providing for the automatic cancellation of a building permit wherever it is found that the contractor

or owner has altered the approved plans or has materially deviated from such plans.

That a committee of three be appointed by the city council and be given discretionary power to decide upon the changes necessary in the structures on which violations were disclosed during the inquiry.

That an amendment to the ordinances be passed forthwith making building inspectors, assistant building inspectors in charge, plan examiners and architectural engineers "officers."

That the police department coöperate with the department of buildings, and other departments having similar work, by having policemen turn in daily reports of their observations of building activities.

That the present "loose leaf" system of making and filing reports be done away with, and that a system of reports, correspondence and records be installed which will be permanent, reliable, immediate and adequate.

That arrangements be made whereby employees, and particularly inspectors, be given thorough instruction in the interpretation of ordinances and methods of procedure, and that regular meetings and conferences be held at which employees should be instructed and encouraged in their work.

There are thirty-two recommendations in all, which seem to cover every possible evasion of the building code.

In connection with the suggestion of suits against contractors, owners and architects, the commission recognized with charitable discrimination not always found in graft exposures that these men were more sinned against than sinning. The investigation was made to remedy conditions, methods and disorganization in the department. As it progressed it became apparent that most of the bribe money paid by contractors and owners was the result of extortion rather than collusion, and the matter of proceeding against them was not pressed. The negligent and grafting building inspectors, however, did not escape so easily. As the result of trials during the progress of the investigation, seven building inspectors and two assistant building inspectors were discharged and three building inspectors resigned under charges. The charges against one building inspector were withdrawn on the express understanding that he would resign one day after he had been reinstated in the service. Two building inspectors and one assistant building inspector, against whom no charges had been preferred, resigned during the progress of the investigation.

Under the head of "Criminal Prosecution Impossible" an interesting light is thrown on the reference to "officers" made in one of the recommendations:

When the matter of proceeding against the building inspectors came up it was found that in spite of the glaring and direct nature of evidence of graft against such inspectors they were immune from criminal prosecution, as the building ordinance describes them as "employees" and not "officers" of the city, while the bribery statute refers only to "officers." The commission respectfully recommends the immediate passage of an amendment to the ordinance, as authorized by the cities and villages act, making building inspectors and their superiors, viz., assistant building inspectors in

charge and any other employees in the city service having like responsibilities and important duties, "officers" instead of "employees."

In contrast with the quiet, but effective, procedure in Chicago is the latest dramatic exposure in Atlantic City with dictagraph and sleuth accompaniment. The operations of Judge Kalisch's "elisor grand jury," acting in coöperation with Governor Wilson's officials, were interestingly set forth in the July number of the NATIONAL MUNICIPAL REVIEW under the title of "Law Breaking in Atlantic City."[1] As a fitting climax to this saturnalia of graft came the arrest of five councilmen charged with agreeing to promote a concrete boardwalk for which each was to receive $5000 if the deal went through. The councilmen involved are Samuel Phoebus, Guss Kessler, William Malia, James Lane and four others whose names are not disclosed. The first four named are said to have been trapped into a confession when confronted with dictagraph records of criminating conversations. Councilman Daugherty, however, with possibly some fine legal distinctions in mind, declined to admit his guilt and invited the great detective to "go as far as he liked." The action of the elisors will determine whether the councilman's faith in his innocence is justified.

Assuming that the confessions of the alleged grafting councilmen are genuine one is more than ever convinced of the worldly wisdom of a line in the closing scene of Get-Rich-Quick Wallingford: "What a fool a man is for being a crook." According to common report all the accused councilmen, with the possible exception of Daugherty are already well supplied with worldly goods. Phoebus is one of the best known hotel men in the resort. Kessler, familiarly known as the "millionaire butcher" heads one of the largest packing houses and is credited with possessing half a million. Lane is one of the favored Kuehnle contractors and is president of the Lane Paving Company. Malia is proprietor of the hotel that bears his name and is reputed to be worth at least $100,000.

Ordinance No. 6, which is alleged to have appealed to the avarice of these men already rich, is officially known as the "concrete board walk bill." It now appears that it was a "frame up" ordinance or "plant" made by Detective Burns to secure evidence that big bribes had been paid in the award of the $1,000,000 drainage canal. It provided for the rebuilding of the board walk by sections, as the council might determine by resolution from time to time, and that all repairs must be made under the plans prepared by a civil engineer to be employed. This engineer was to be employed for "all repairs," which meant that his tenure of office would be permanent, and that the city would be called upon to pay him indefinitely. No estimate of the cost was made but unofficial figures gave it as at least $1,000,000 within a comparatively few years.

The developments in the board walk exposure promise an unusual number of thrills. It remains to be seen whether the entertaining features

[1] See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 500.

will be supplemented with the kind of constructive work of which the Chicago commission has given such a good example.

The limits of this article demand a briefer review of the remaining recent graft exposures than perhaps their importance justifies. Among the minor instances, West Hammond, Indiana, seems to be a shining exception to the accepted rule that the village is the abiding place of the homely virtues. Affairs at West Hammond have for us a sentimental interest because an accomplished and comely young woman of twenty-two is the center of the reform movement. The interest of Miss Virginia Brooks, late of Chicago, in the municipal methods of West Hammond originated through her ownership of property in the village on which the taxes and assessments for improvements were abnormally high. It is now changed into a heart interest in the improvement of the Polish women of the community. Miss Brooks is credited with saving the taxpayers over $21,000 and with waging a successful fight against the gambling dens which have taken even larger amounts from the pockets of the laboring population. She has pluckily carried her fight for decent government to the supreme court of the state. Her work has now assumed constructive shape in the social settlement and is worthy of a detailed study.[2]

The fight waged against alleged graft in Gary, Indiana, under the leadership of T. B. Dean of Lexington, Kentucky, resulted in a verdict of "not proven." Unlike Miss Brooks, Mr. Dean did not settle in the community, but quit in disgust, saying: "The town is too rotten for me Let some one else clean it up." The "Magic City" incurred the wrath of Mr. Dean by failing to give him a desired heating franchise under what he considered suspicious circumstances. As the result of his prosecution, a partial confession was secured from one of the aldermen who gave a $2000 bond, but afterwards sold his property and disappeared. The stenographer who took down the dictagraph records later repudiated them. These facts and a general difficulty of keeping vital witnesses from vanishing caused Mr. Dean to abandon his efforts. The court, however, sitting at Valparaiso discharged but one of the defendants. The cases against the mayor and alderman were "dismissed," leaving the way open for the state to file new charges if it desires.

That just ground for dissatisfaction with conditions at Gary exists is indicated by the following extract from an editorial that appeared in *The Tribune* of that city under date of April 13, 1912, entitled: "It Is the Truth that Hurts:"

For a minute look at the city administration of Gary in the face. Drop any sentiments of past disagreements and predilections.

The city engineer, who, as a member of the board of public works, is passing this year on contracts aggregating over a million dollars, by HIS OWN TESTIMONY IN HIS TRIAL AT VALPARAISO, IS A GRAFTER. He confessed on the stand to an agreement to make a profit of $3000 on a lot, which he

[2] See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 504.

was to buy for Thomas B. Dean for his heating plant. He was not in the real estate business. He could buy the lot no cheaper than anybody else could have purchased it. Dean could have bought at the same figure himself. But he tells Williston to buy the lot at one price and sell it to him at a price netting the city engineer $3000. Dean paid $300 on advance "profit" according to Williston's own testimony. Williston was to vote on this Dean franchise while this deal was pending. *The Tribune* is not changing Williston's testimony in the slightest degree.

No purchasing agent of a firm could HOLD HIS JOB FOR A SECOND AFTER SUCH A CONFESSION. No man passing on contracts for a private firm could last longer THAN THE TIME TO KICK HIM OUT AFTER HE HAD TESTIFIED TO TAKING A "PROFIT" OF $3000 FROM A MAN WHO WAS ASKING A CONTRACT.

Yet Knotts' city engineer is sitting on the board of public works awarding contracts, kept there to act as a puppet for Knotts. *The* CONTRACTORS WHO PUT UP THE MONEY for his defense of course are getting the contracts. "Gary is too rotten," is not excessive.

Newport, Kentucky, has also received recently some undesirable advertising in the columns of the Cincinnati *Commercial Tribune*. This journal, under date of June 7, 1912, says that there have been rumors of graft in Newport for some time and that certain of the city and county officials were openly accused of irregularities in their accounts. To the loose methods in vogue in the keeping and examination of the official books is charged the responsibility for the boldness of certain delinquents. Expert accountants from New York are now making a thorough and searching examination of Newport's official records. Their report will soon determine the extent to which the rumors are based on actual crookedness.

The western coast has been comparatively free from reports of graft exposures and prosecutions for the past few months. In Washington, forged warrants to the amount of $190 by a clerk in the controller's office in Tacoma constitute that state's sole contribution to municipal wrong doing that has come to light.

California seems to be resting on its late dishonors.

In Oregon there are developments that promise to be serious. On June 27, Mayor A. G. Rushlight, Chief of Police Slover, Captain of Police Baty and Detective Maddux and Reid, all of Portland, were indicted by the county grand jury for alleged conspiracy to bribe Deputy District Attorney Frank Collier. The deputy district attorney had charge of the May grand jury that was investigating the actions of the police department and the indicted officials are alleged to have engaged in a plot to entrap him.[3]

In addition to Chicago's constructive work in her building department, the law-breaking saloon as a factor in illegal voting and attendant graft received deserved attention from the Citizens Association of that city. Four indictments charging serious violations of the election laws in connection with the procurement of illegal voting were returned by the Cook

[3] It seems to be a case of the accused "getting the drop" on the accuser.—THE EDITOR.

County grand jury on May 29, 1912, on evidence obtained by the Citizens' Association. Among the defendants is William McGovern, named in four indictments. The investigator of the Association was Robert J. McKnight who seems to have done his work thoroughly.

Concerning the notorious character of the McGovern saloons the report of the Citizens Association gives interesting testimony:

The McGoverns have for years been operating law-breaking saloons of the lowest type. On September 25, 1905, Mayor Dunne revoked the license of their then notorious place at 57 North Clark Street. The license was restored later, however, on the false pretext that the place had been sold. In the following year our investigators reported the place to be one of the worst in the city, harboring disreputable women and criminals. In 1907 John McGovern was indicted by two successive grand juries, on evidence furnished by the Citizens' Association, for conducting his place at 57 North Clark Street in a disorderly manner and he was subsequently found guilty and fined under both of these indictments. Both of the grand juries which returned these indictments emphatically recommended the revocation of McGovern's license, along with others.

The license was not revoked and McGovern continued to operate the place in the same fashion. In 1910, when the Citizens' Association made a similar investigation, this place and McGovern's saloon at 659 North Clark Street were found to be operating in the same illegal and indecent manner and repeated reports to this effect were made to the chief of police, with the suggestion that the license of both places ought to be revoked.

That these offenders are typical and that their overthrow will do much to clear up the illegal election centers is the opinion of the Association:

The Citizens' Association is deeply interested in the primary election fraud cases above mentioned not only because the offenses exposed strike at the root of decent government, but because the methods and men involved are typical. There can be no doubt but that at most elections in recent years the keepers of tough lodging houses and saloons in the so-called river wards have procured the casting of thousands of illegal votes by means above outlined.

Through their ability to deliver illegal votes in support of the candidates favored by ward bosses, these keepers of tough lodging houses and saloons have been able to gain such immunity that their disorderly places have been exempted from conforming to laws and police regulations that were enforced against competitors who refused to join in stuffing the registration lists.

C. R. Atkinson.[4]

[4] Since Dr. Atkinson prepared his article there have been a number of disclosures of graft, notably in New York and Detroit. Some of these will be treated of separately in the department of Events and Personalia, and Dr. Atkinson will contribute a further article to the January issue on the same subject.

Dr. Atkinson has been an active worker in the People's Institute of New York and in the West End Civic Club instituted by the Henry Street settlement established by the Children's Aid Society. After taking his doctor's degree at Columbia he became professor of political economy at Lawrence College.—Editor.

AN INTERNATIONAL CONSIDERATION OF THE LIQUOR QUESTION

THERE will be held in Paris in January, 1913, a meeting of the international committee for the consideration of the liquor question. In many respects this is the most ambitious effort so far made to solve some of the phases of this very difficult problem.

A year ago Count Louis Sharzynski, of St. Petersburg, representing the Russian government, visited America for the purpose of organizing the American section of the international committee, a task he assigned, after a tour of the country and consultation with leading men, to the National Municipal League. This the League undertook appointing the committee the names of which will be shortly announced.

The League's relation to the committee ceases with the formation of the American section, although its own committee on the liquor problem will maintain sympathetic relations with it.

The international committee has been organized purely for scientific study.. It was instigated by the True Temperance Society of Great Britain which has among its members many men prominent in social, political and scientific circles. The sections already formed in France, Austria, Italy, Switzerland, Russia and Germany, contain even more imposing names of men who stand at the head of world affairs. The president of the Swiss Republic, the prime minister of Russia, several cabinet officers of other countries, and men of large attainment in other walks of life have accepted membership in the different sections.

At the meeting in Paris Count Louis Sharzynski submitted an outline for consideration, of which the following is a brief summary:

One of the first aims, he states, should be to show clearly the social, economic and hygienic effects of the consumption of liquor and also the practical working of the state monopoly system of selling liquor.

Treating the subject under these several heads, Count Sharzynski suggests as topics of inquiry:

I. THE SOCIAL EFFECT OF A LARGER OR SMALLER CONSUMPTION OF LIQUOR

1. Nationality as a basis of study: In large countries, such as Russia, one must consider as a basis of every social inquiry the ethnological and climatic differences in the population. The effects of the use and, in a greater degree, of the abuse of liquors, differ as do the varied nationalities which that great country comprises. For instance, the Finns are not greatly inclined to the use of liquor; but an over indulgence in it drives the Finn to violent excesses and leads to affrays. In Great Russia, the abuse shows mainly in an indifference to getting or keeping money and the drunkard develops vanity and ostentation, beyond his means, often resulting in financial ruin. The Poles, under the influence of liquor, become gay and develop marked erotic tendencies, threatening the peace of family life.

In Little Russia, the national laziness and indifference are greatly accentuated by the immoderate use of liquor. This is bad for the welfare of the people.

In short, one cannot measure the influence of intoxicants upon the differing nationalities of Russia by any common and unvarying scale; ethnology and climate must be taken into consideration. And it is important to note that the differences of character and habits are far greater between the lower classes in the respective nationalities than among the upper classes. In the upper classes culture and education smooth the differences and these tend to uniformity and a common level.

2. The level of culture: Liquors affect the educated in ways quite different from the effect on those less well educated. Our inquiries should show whether higher culture raises or decreases the consumption of liquor and what influence, direct or indirect, an absence of culture has in this regard.

3. The influence of religion: It would be useful to inquire as to the religious faiths prevailing in the different nationalities of the Empire, as one of the social aspects of the problem; to determine the real depth and tone of the religious feeling in each (irrespective of doctrinal or church affiliations), and to ascertain to what extent the clergy exert a real influence on the people and how they use that influence with regard to the abuse of liquor.

4. The moral attitude of the several nationalities: (a) The family life; (b) the prevalence of divorce.

5. Criminality: (a) The number and kind of crimes, with a comparison of the figures showing the relative consumption of liquor in the respective committees; (b) the prisons. Are abstainers right who maintain that under prohibition the prisons would be empty, on the theory that nine-tenths of the crimes are due to liquor? Prison-managers might give useful information as to the extent, in their opinion, to which crimes are really committed under the influence of alcohol or if it is merely an alleged excuse.

6. Suicides. The number and causes and their relation to the liquor habit.

7. Accidents: (a) Accidents in general; (b) in factories and industrial enterprises. The number in each occupation and their relation to the liquor habit, having especial regard to the number in which intoxication is pleaded by way of excuse by those causing the accident.

8. Higher schools: (a) To learn, from the higher instruction, the number of total abstainers among the pupils and of those who use liquor to excess and the comparison of the relative progress of the moderate drinkers and of the teetotallers; (b) the middle schools; (c) national schools. It would be still more important to have accurate information as to the parents of children in the national schools and to compare the progrees of the children of teetotallers with that of the children of moderate drinkers.

9. The army: (a) The temperance question among the soldiers; (b) the influence of service in the army on the use of liquors.

10. The propagation of temperance.

II. THE ECONOMIC EFFECT OF THE CONSUMPTION OF LIQUORS

11. An inquiry into the economic condition of the different nationalities, to determine whether improvement in the economic condition raises or

lowers the consumption of liquors and whether, conversely, higher or lower consumption influences the economic position of the masses.

12. Savings banks.
13. The arrears: How influenced by liquor consumption.
14. Charitable institutions.
15. The liquor budget: Abstainers show the large amounts lost in expenditure for liquor. It is important to ascertain the items on the other side. How many people live on farm products used in making liquors? How many on the trade thereby caused? How many are supported by the manufacture of liquors and in the trade thereby caused? Also, how much money is earned in this way and to what extent does the state benefit by the taxes levied, in aid of the national budget, on the production and sale of liquor.

III. THE EFFECT OF THE CONSUMPTION OF LIQUOR ON THE HEALTH OF THE NATION

16. On the physical welfare of the population.
17. Births.
18. Illnesses in general.
19. Hospitals: An inquiry with regard to the number of patients in all public hospitals, the proportion of ailments attributable to the abuse of liquor, whether directly by the patients themselves or by their parents.
20. Psychic disorders.
21. Lunatics.
22. Inebriates.
23. Mortality.

IV. STATE MONOPOLY OF SPIRITS

24. Effect on consumption of liquor: (a) Influence in different nationalities in Russia. Official statistics show that the state monopoly increased the consumption in the Eastern provinces and decreased it in the Western provinces; but the precise causes of these differing results have not yet been demonstrated. Official statistics show that in the years just before the introduction of the state monopoly the consumption of liquor decreased in thirty-one provinces and increased in forty-four provinces. Since differing nationalities and races are found in the same district or towns, official statistics which give the consumption per head in a given locality afford no sufficient guide as to the use of liquor among different nationalities living in the same district or town. Such statistics are difficult to procure; but the very intelligent corps of the internal revenue offices would be of great service in helping us to get them. (b) The influence of the opening and closing of the monopoly shops on the increase or decrease of the consumption.

OUTLINE OF THE STUDY OF ALCOHOLISM IN ITALY[1]

There is a geographical difference in the use of liquors in Italy.

I

Since 1881 official statistics are available and figures can be had showing:

1. The number of deaths from chronic alcoholism.
2. Number of psychoses induced by alcoholism.

[1] Translated by Anna Florence Woodruff from the French version.

3. Amount of sales of liquor.
4. Consumption of alcohol, of wine, of beer.
5. Number of soldiers punished for drunkenness.
6. Number of deaths from accident due to drunkenness.
7. Treatment of these data by way of explanation and criticism.

II

There should be study of alcoholism as to its effects on individuals; character of alcoholic liquors and their effects on the human organism:

1. Statisics showing the causes of deaths enable us to separate those due to alcoholism and to arrange them by *sex*, by *profession*, by *age* and to show the influence upon the number of such deaths of season and the demographic condition of the locality.

2. Study of cases in lunatic asylums will allow us to consider lunatics afflicted with alcoholic psychoses from the point of view of *sex*, of *age*, of *profession*, of *heredity*, of *season*, of the clinical "type," and of the duration and end of sickness and of *relapses*.

3. In hospitals and at clinics we can amplify and complete our knowledge in the respects already mentioned and from these cases, not sent to asylums, can be gained those facts which are difficult or impossible to acquire in asylums, such as the day of the week of admission, the conduct of alcoholic patients who have been treated in hospitals, or clinically, after dismissal from asylums, as cured or as not afflicted with psychosis. It is especially in the general clinics of obstetrics, pediatrics, of psychology and of neuropathology, etc., that these lines of study could be followed.

4. So, also, in prisons, asylums for insane criminals and in ordinary asylums one can study the alcoholic criminals with regard to their crimes, sentences, age, sex, mental and physical characteristics, etc.

III

The study, which can be aided by mathematical methods, of the correlative relations between the different symptoms of alcoholism, as shown in time and space, and the different phenomena (important as to number), which may reasonably be caused or influenced by alcoholism or which might affect it. This study would show the relations to the subject of the varying conditions as to riches, intellectual culture, criminality, insanity, suicide, of the consumption of liquor and of the physical development gained by conscripts.

IV

1. It will be useful to address questions to the health officers in the several municipalities (the *medici condotti*), to learn the frequency, intensity and the causes and effects of alcoholism.

2. It will also be worth while to study the workings of the Anti-alcoholic League in Italy and the effects of its propaganda.

3. And it will be necessary to study statistics leading to a trustworthy estimate of the amount of danger which habitual alcoholic drinkers cause to everyday life and to consider what measures should be taken for social defence.

ENGLISH PROGRAM[2]

1. The influence of the usage of alcoholic drinks.
2. The nutritive value of alcoholic drinks.
3. Alcohol and other ingredients in alcoholic drinks.
4. What one would call a moderate use of drinks in conformity with the age of the person, the social class to which they belong, and their personal habits.
5. The influence of a moderate use of drinks and total abstinence has on: (a) Longevity, (b) Aptitude for work.
6. Alcoholism and sickness.
7. Alcoholism and physical ills.
8. The influence of drinks on criminality.
9. The influence of alcoholic drinks on mental ills.
10. The influence of alcoholic drinks on the economic state of the poor classes.
11. Relations between the importance of recompense and the consumption of alcoholic drinks.
12. The diminution of the abuse of liquors.
13. The best ways to encourage temperance.
14. Reform of the sales of liquor.

THE SWISS PROGRAM[3]

Sent by M. Ruchet, president of the Swiss Confederation and honorary president of the Swiss committee.

I

Investigation of the primary and secondary causes of alcoholism.

1. Statistics of the production and importation of different alcoholic drinks, wine, beer, cider, and all liquors under the name of "aperitif."
2. Usual method of the consumption of these drinks.
3. Statistics of alcoholics: (a) In the asylums for the treatment of drunkards, (b) In the lunatic asylums, (c) In hospitals and sanitoriums, (d) In penitentiaries and houses of corrections, (e) In houses of discipline.
4. Questions to the superintendants of institutions for the abnormal and feeble-minded.
5. Inquiry about the families who take brandy in their food. (Schwarzes.)
6. Questions to be answered by the military doctors who make visits to see about sanitation.
7. Inquiry in the community on the number of drunkards during a definite period.
8. Information from the courts on the rôle alcoholism plays as the cause of misdemeanors and crimes, bankruptcies, divorces, etc.
9. Influence of drink on accidents.

[2] Presented by one of the members of the committee for the approbation of the committee.

[3] Translated by Anna Florence Woodruff.

10. Practice among the young students "Biercomment."
11. Reports on the activity of societies having undertaken a struggle against alcoholism.

II

Preventative and curative measures against alcoholism. These measures will not be able to be determined exactly before the result of the inquiry. They depend on:

1. The social conditions which predispose towards intemperance: (a) Atavism and hereditary predisposition, (b) Education of children and adolescents, (c) Hygienic conditions, particularly in regards to lodging and habitation.
2. The influence of alcoholism on the drinker: (a) That which predisposes him to sensualism, to insanity and to suicide, (b) That which diminishes his powers of resistance against disease, (c) That which makes difficult the issue of healthy children.
3. The influence of alcoholism on the family and its economic consequences.

Meanwhile one can already foretell the following measures:

1. Sanitary surveillance of kindergartens and primary schools. Female doctors and inspectors.
2. Commencement of committees on public health; inspection of dwellings etc.
3. Legislative methods: (a) Limitation of the sale of liquor, (b) Severity in the conditions for obtaining licenses, (c) Raising the minimum of the free sale of drinks, (b) Withdrawal of their license as a punishment for those inn-keepers who either give something to drink to those already drunk or to children, (e) Alcoholics and those arrested while in a drunken state under penalty of being deprived of their liberty, (f) Deprivation of the right to vote, (g) Confinement in a workhouse, (h) Withdrawal of paternal authority over the child and education of the children at the expense of the state or as much as possible from the parents.
4. Grants for the building of asylums for drunkards.
5. All other measures which results of the inquiry could suggest.

CAMILLUS G. KIDDER.[4]

[4] Orange, N. J., former chairman of the excise board of Essex County and now chairman of the National Municipal League's committee on the liquor problem.

DEPARTMENT OF REPORTS

EDITED BY JOHN A. FAIRLIE

Professor of Political Science, University of Illinois

Municipal Finance Reports.—A report of the financial transactions of a municipality should be so drawn as to accomplish two definite objects: (1) The primary object, to demonstrate that the finance officers have accurately accounted for the moneys on hand at the beginning of the year and for such moneys as have been received from revenue and from other sources during the year, such an accounting being in sufficient detail to show that the expenditures have been applied to the purposes and within the amounts designated by the budgetary appropriations and by ordinances of council; and (2) the secondary object, to supply the public officials and resident citizens with the means of determining in a measure to what extent the public funds have been wisely expended, wherein economy has led to parsimony, and wherein money has been wasted.

The primary object is easy of accomplishment and as it is of only local importance will not be discussed in this short article. To only a limited extent can financial reports accomplish the second of these objects. If in one of the offices there has been expended for clerical services or for stationery 50 or 100 per cent more money than was expended for these objects the year before, it is not very difficult to determine whether the expenditures of the one year were too small or those of the other too large, or that the proper expenditure was measured by the one amount or the other or by some intermediate amount. A statement in detail of such expenditures will point the inquirer to such items as indicate possible extravagance resulting in waste of revenue, and he is thus enabled to study the conditions surrounding the expenditure. No cost accounting can determine the expense that should be applied to the filling of a ledger, or the issuing of licenses and permits, unless the systems of accounting and recording and the volumes of business are known and are comparable. Hence, the necessity for inquiry into the conditions, whether they are the same, or have been changed, before criticism can be defensibly lodged against such expenditures.

In the field of the larger expenditures of the city, reports limited to the financial transactions convey but little notion of economy or of waste in administration. A report may show that the city expended during the past year twice as much money for street paving, or for sewers, or for park improvement as it expended the year before. These figures tell us nothing as to the relative economy of the expenditures of the two years, they do not tell us whether in the former year or the latter the expenditures of the street department, the sewer department, or the park department were best administered; they do not tell us what asset or added asset was secured through the expenditure of the peoples money; and it may be true that the greater economy was practiced during the year in which the greater costs were met or liabilities therefor incurred.

Some heads of city departments have endeavored to supply in their reports a measure of efficiency by setting over against the payments made through or for them a record of the permanent properties constructed or reconstructed by them during the year. Where this is done in detail sufficient to show the entire cost of an improvement, with the units of area, or length and diameter, the city has furnished to those who would study its efficiency a measure which may be applied locally from year to year; a measure which, after applying corrective coefficients for fluctuations in the cost of labor and materials, will

enable the inquirer to determine the relative merits or defects of administration of such department for a given year as compared with some other year. Measures of efficiency to be of real value must be more than locally applicable; they must be applied to similar works in other cities if they are to lead to the knowledge of efficiency or the discovery of inefficiency. Out of this necessity has arisen the demand for uniformity in accounts of financial transactions and records of physical construction.

During the last ten years the bureau of the census, at Washington, has been endeavoring to report comparable statistics of the financial transactions of cities having a population of over 30,000. Ten years ago the systems of accounting were almost as numerous as the cities reported; municipal accounting lacked a commonly accepted classification, and terms employed therein were given widely varying meanings. Out of all the confusion of methods and terms, the bureau sought to present statistics that would assist those interested in one of these cities to compare the operations and accomplishments of their city with those of the other cities reported. To do this necessitated the expenditure of much time in the classification of data in greater detail than usually reported and frequently along lines entirely different from those followed in the reports of the cities themselves. It was a natural result, therefore, that the census bureau should become vitally interested in the adoption of a uniform system of accounting in order that its work might be productive of more accurate results, and might be much more economically accomplished.

In all of this, however, the census bureau being a branch of the federal government, could only advise and encourage those who, from day to day, were writing down the records of transactions. As these officials, through their discussions in conventions and inter-communication, sought for light upon the subject, they pointed out the obstacles to progress, the charter requirements and restrictions that prevented the immediate adoption of such systems of accounts as seemed best suited to the purpose. With the difficulties clearly pointed out, the states are beginning to supply such supervision of accounting and reporting for cities as will eventually relieve the census bureau from the necessity of classifying transactions by the examination of original data and vouchers, and will reduce its work to the compilation of data published by the cities. The word "eventually" is used advisedly, and this statement is not a prophecy of what is hoped for, but a prediction of the result of causes now operative. Before this result can be accomplished, however, a vast amount of effort and much time must be devoted to the development and perfection of the plans and purposes which have been so recently undertaken.

The state bureaus of accountancy in Massachusetts, Ohio, Indiana, Iowa, and Wisconsin, have already accomplished much within their respective states. Where these bureaus prescribe forms for the budgets and accounts of municipalities, as is done by the Ohio bureau of inspection and supervision of public offices, the financial data reported by municipalities become comparable for all cities within the state to such a degree as the local officials correctly interpret and faithfully carry out the forms and recommendations prescribed by the state bureau.

Although this process may be carried on until the highest state of perfection has been reached, there remains another step that is necessary to insure the comparability of financial data reported by cities in different states. This further process consists in the harmonization of the work of the different state bureaus. Toward this end much progress has already been made. There are, of course, many obstacles to be overcome in securing legislation such as is necessay to set up for municipalities new provisions in place of the archaic charter provisions,

special acts, and different forms of practice prevailing in many of the cities. This is true in some of the states having state bureaus to whom reports are made by the cities; and until such obstacles shall have been overcome the reports of municipalities must vary widely in their character, and deductions drawn from them are likely to contain a large percentage of error. It must, of necessity, be many years before all of the states shall undertake the supervision of public offices to the extent of prescribing forms of accounting and reporting.

It is worthy of note that the advance towards uniform accounting is not confined entirely to cities within states having state bureaus of accountancy. A large number of cities in other states have, on the initiative of their finance offices, brought their systems of accounting as nearly as their charters will allow into agreement with the forms prescribed by the bureau of the census. The comptroller's report of the city of Pittsburgh, follows very closely the classification set forth in the principal schedule of the bureau of the census, and the recently organized board of education for the city of Pittsburgh has adopted as its basis of accounts and reports the classification employed in the school schedule used by the census bureau. The report of the auditor of the city of Los Angeles adopts the classification of the census bureau almost in its entirety. In the first place the budget is prepared in accordance with this classification, and the auditor in his annual report carries the classification into his statement of the general balance sheet, the inventory of property belonging to the departments, the statement of expenditures, the reconciliation of the auditor's and treasurer's balances, and the statement of the departmental receipts.

The two cities mentioned, Pittsburgh and Los Angeles, are but examples of a large number of cities in a number of states in which there is no state control over municipal accounts. Such cities are pioneers in the field of better accounting and better government, and their influence will sooner or later bring into their states the advantages to be derived from such uniformity and control as can be brought about and exercised only by a state board having authority not only to inspect but to supervise public offices.

A leaflet containing four diagrams of the receipts and expenditures of the board of education of St. Louis, Mo., will be of interest to any one having the opportunity to examine them. The first two diagrams set forth certain information for the years 1910-11 in shaded sectors of circles, the first showing the ten different sources of receipts with what percentages each forms of the total, and the second showing the three principal heads of expenditures, one being outlays, another salaries of supervisors and teachers, and the third representing the other expenses of school administration, with the percentage of each of the three forms of expenditures. Upon the same pages as these two diagrams are presented the figures upon which the diagrams are based. The third and fourth diagrams present the receipts and payments for the same purposes as shown in the circles for the years 1900–01 to 1910–11, the limit of each expenditure being shown by a curve and the different forms of expenditures extended one after the other by shaded areas limited by the several curves, the different figures upon which the areas are based being given upon the several fields. All of these diagrams call attention in an emphatic way to the data upon which they are based, and are helpful in impressing upon the public mind the local information which they convey.

The value of a report of the financial transactions of a city depends somewhat upon the promptness of its appearance after the close of the financial year the transactions of which are therein reported. A few of the cities almost invariably have their reports in print and ready for distribution within a month or six weeks after the close of the fiscal year; while in other cities the financial

report is delayed for months, and occasionally a whole year intervenes between the final transactions and the appearance of the printed report. The same may be said of the relative value of the reports issued by the state bureaus and that issued by the bureau of the census, one of the greatest criticisms brought against the latter being the lateness of its appearance.

In many of the cities the census report must be prepared from original data, either because of lack of a printed report or because such report in no wise conforms to the classification of the census. It thus happens that a great deal of time, on the part of the field agents, is required in preparing these reports. Furthermore, cities that close their fiscal year after February 1 have their transactions included with those of other cities whose fiscal years close as late as January 31 of the following year. The only remedy for this latter condition would be for the cities to close their fiscal years at the same time or within a few months of the same time, as at the present time they close during almost every month in the year. The work of preparing reports promptly, however, lies within the field of corrective influences, the remedy being such improvement in the method of reporting by municipalities as will simplify to a great degree the labor necessary to reconstruct the data into such form as will be comparable between the different cities. This remedy lies with the cities themselves and such of the state bureaus as may have supervision over them. With this defect remedied their data would become promptly available for the census bureau and would insure a much higher degree of accuracy, thereby lessening the amount of examination and comparison that up to this time has been necessary in the office at Washington, before such data could be safely given out to the public.

The financial reports of cities, as has been pointed out above, will leave untold the story of economy or waste until there shall be perfected a generally accepted standard for reporting the accomplishments of physical construction, that shall so correlate the financial and physical data that the student may compare unit costs, and it is to this branch of the subject that the pioneer in the field of municipal accounting and reporting must now apply his efforts.

City Controller's Annual Report, Philadelphia, 1911; Report of the City Auditor, Boston, 1911–12; Comptroller's Report, Baltimore, Md., 1911; Report of the City Comptroller, Kansas City, Mo., for the fiscal year 1911; City and County of Denver, Report of the Auditor, 1911; Report of the Comptroller of the City of St. Louis, 1910–11; Annual Report, City Comptroller, City of St. Paul, 1911; City Auditor, Annual Report, Providence, R. I., 1911.

Morris J. Hole.[1]

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Philadelphia Budget Program.—The proposals included in the budget program of the Philadelphia bureau of municipal research are based on the theory that the function of the budget-making (legislative) body is to pass upon each question of general policy involved in the management of the city and that the function of the "administration" is to carry out those policies within the limitations and according to the prescriptions made by the budget-making body. The budget of estimates is thus a program of work which the administration proposes to carry on in the interest of community welfare and a statement of the financial provisions which are considered necessary to carry out this program. The budget of appropriations is a program of work which the administration is authorized and required to execute.

In its consideration of the program proposed by the administration, the main questions of policy upon which

[1] Bureau of the Census, Washington, D. C.

the budget-making body is called upon to act have relation to:

a. What work is essential to the effective promotion of community welfare?
b. What organization is necessary to the proper execution of this work?
c. What equipment, supplies, services or other objects of expenditure are required by this organization for the performance of its functions?
d. In what way may the authorized expenditures best be applied by the governmental organization in the performance of its functions—i.e., in administrative activities; in activities of operation and maintenance; or in acquiring permanent properties (capital outlays)?
e. What funds shall be provided for the support of each activity of each branch of the public service and how shall these funds be provided—by tax levies, special assessments, issue of bonds, or otherwise?

As a basis for the intelligent consideration of these questions of policy, the items of estimated expense for each department, bureau, division, and office of the Philadelphia city government, are grouped by functions and classified uniformally under the following seven main headings by objects of expenditure:

1. Personal service—including (*a*) salaries of regular employees; (*b*) salaries of temporary employees; (*c*) wages of regular employees; (*d*) wages of temporary employees.
3. Services other than personal—including transportation; subsistence; communication service; printing; advertising; heat, light and power.
3. Materials used in repairs and replacements.
4. Supplies—including stationery; fuel; cleaning and toilet supplies; wearing apparel; forage; provisions; ammunition; and tools.
5. Equipment—including livestock; wagons and harness; furniture and fittings; automobiles; machinery and apparatus; and parts of machinery.
6. Structures and non-structural improvement to land—including buildings; pavements; bridges; and drains.
7. Land and interest in lands.

The more important advantages which the revised estimates and a budget based upon them, are intended to provide, may be summarized as follows:

To make each appropriation item so definite that its purpose may be clearly ascertained.

To prevent, by proper classification and arrangement, the duplication of requests and appropriations in different bureaus, or in different divisions of the same bureau, for the same item of expense.

To provide ready means for determining whether items requested in one department may more properly belong in another department better equipped to handle the special work concerned.

To afford the best possible opportunity for administrative officers to present definite and convincing evidence of the needs of their several departments; and to make it possible for councils to require such evidence of administrative officers.

To provide a ready means of comparing specific items of actual expense with specific items of requested appropriations.

To furnish the controller with means for deciding definitely whether or not claims presented to him for audit are properly chargeable to the several appropriation items.

To state definitely the number of employees and the rate of compensation for which each item of salaries and wages is requested; and thereby enable the controller to require the certification and approval of payrolls for payment, in such form as to hold officials so certifying responsible for the truth or falsity of the facts certified to.

To make possible a strict enforcement of the law which limits the incurring of liabilities to the amounts of the several appropriation items.

To enable councils to ascertain whether or not money is spent for the purposes contemplated in the appropriations.

To make it possible, by means of a "functional" classification of items under each organization unit, for councils to pass intelligently upon each question of general policy involved in the consideration of the budget; and for the mayor to approve or disapprove items

in the budget with due regard to efficiency in the public service as it affects the health, education, safety, recreation, and convenience of the community.

To make it possible for councils, the mayor, and citizens, by utilizing summary statements, to consider the budget as a constructive community program and not merely as unrelated appropriation items; and to determine the relative public importance of each function and activity in the general administrative scheme of the city government.

To furnish the basis for the fullest and most intelligent consideration by councils, the mayor, citizens, taxpayers, and the public press of the financial and social program contemplated in the budget.

J. D. Burks.[1]

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British Municipal Accountants.—The Report of the Proceedings of the twenty-sixth Annual General Meeting of the British Institute of Municipal Treasurers and Accountants (Incorporated) impresses one with the thoroughness of its preparation, with the scope of the subjects treated, and with its usefulness to those who are engaged in the management of the finances of our public corporations.

Many of the terms used in the report are relatively unfamiliar to American ears, as for instance, "local rating," "rateable value," "compounding allowances" and "local spending authorities," but the subjects dealt with are none the less interesting.

Much attention in recent years has been given by American accountants to the standardization of forms of account. A similar work is being prosecuted by the Institute in conjunction with the representatives of various government departments.

A municipal loans exchange as a feature of the institute is a novel one. This activity affords to municipal authorities a clearing house for exchanges, borrowings and investments. The loans arranged in the year under review amounted to $900,000. The exchange should be particularly helpful to small boroughs in obtaining modest loans at lowest market rates.

The report deals ably with the necessity of providing adequate capital for the trading concerns of municipal governments, and to meet current expenditure prior to collection of taxes. Revenue bonds meet this latter need in some of our American cities. In Great Britain at present the use of loan moneys is restricted to capital expenditures for permanent improvements. The use of the term "working capital" is a happy one and indicates that British municipal accountants have arrived at the conclusion that we are fast coming to in this country, namely, that the problems of public finance are similar to the problems of private business, and the application of the terms of the latter to the problems of the former takes municipal business out of the mystic circle and makes it more readily understandable to the average business man. In this connection, it is interesting to note that City Controller John M. Walton, of Philadelphia, has developed in his recent annual reports a series of statements that present the financial condition of the city in balance sheet form, with separate statements for the general account, capital account and special and trust accounts together with the operation (revenue and expense) accounts, surplus and fund accounts.

The enlargement of areas of local government is suggested by the president of the institute as a subject that will assume increasing importance in the near future. His observations upon the large numbers of people earning their livelihoods in urban centers and residing in outlying districts under a different local government with the consequent loss to the city of the taxes paid by these country and suburban dwellers,

[1] Director, Philadelphia bureau municipal research.

is as pertinent to American municipal finance as it is to British.

W. S. Carver, city accountant of Oxford, in his paper on the "Taxation of Land Values in Relation to Local Rating" brought down upon his head considerable adverse criticism from representatives of industrial cities in his suggestions to relieve real estate of some of its tax burden by introducing a personal property tax, a municipal income tax, duties on consumable goods brought into towns, and a tax on site values. In advancing these suggestions he took issue with some of the theories of Henry George. Members from industrial cities defended the single tax on land and declared these other forms of taxation to be unnecessary burdens upon industry.

"Compounding Allowances," the title of the paper by Roger D. Lambert, A.S.A.A., borough treasurer of West Hartlepool, sounds strange to American ears, due to our unfamiliarity, at least in many parts of the United States, with the practice. The meaning of this term is the allowances to owners of real estate for paying taxes on behalf of their tenants. This system is not common to the United States where the tenant is not taxed as an occupier and hence the discussion to us is academic rather than real.

G. R. Butterworth, F.S.A.A., borough accountant of Hastings, in his paper on "The Relationship between Rates, Local Debt, and Rateable Value" draws a clear distinction between debt created for remunerative enterprises and debt created for non-remunerative enterprises and suggests that the former be not dependent upon the taxable value of properties but that the latter be limited. Mr. Butterworth supports his contention by showing that remunerative debt, in the main, has the effect of reducing rates and consequently of relieving the burden of charge on property, while unremunerative debt increases rates, and renders them less elastic owing to fixity of the annual charge.

That the high license law operates directly in reducing the value of licensed properties for local assessments is forcibly presented by F. A. Inglis, F. S.A.A., borough accountant of Lambeth, in his paper on "The Effect of the New License Duties upon Local Assessments." The license tax which goes into the imperial treasury is thus augmented at the expense of the sources of taxation for local government bodies.

The 1911 report of the Institute shows a healthy growth in membership. It has a number of student members, which system should commend itself to similar organizations in the United States. The students are given a preliminary and a final examination with money prizes for the first, second and third best among those who pass. This system insures a corps of young men constantly in training for the higher positions in the financial departments of government.

The report is well worth the most careful reading by fiscal government officials everywhere.

W. B. Hadley.[1]

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Municipal Finances in Rhode Island and California.—Two additional states, at opposite sides of the continent, have joined the list of those publishing official compilations of municipal finance statistics.

The first report for the cities and towns of Rhode Island appears as part 2 of the annual report of the Rhode Island Bureau of Industrial Statistics, for 1911. This has been prepared from the printed reports and statements of the local treasurers, in most cases for the fiscal year ending in 1910. The tables published show, for each of the six cities and thirty-two towns in the state, statistics of property valuations, tax rates, indebtedness, and current receipts and expenditures, classified according to the schedules of the United States bureau of the census. In summarizing the results of this compilation, Commissioner

[1] Of the city controller's office, Philadelphia.

Webb recognizes the lack of perfection, which could hardly be avoided in a work undertaken without any special appropriation and without any authority over the local accounts. He also recommends legislation to aid in preparing similar reports in the future, and to regulate the borrowing of money by towns, similar to the certification of town notes recently established in Massachusetts.

The state controller of California has published the first Annual Report of Financial Transactions of Municipalities and Counties of California for the Year 1911 (Superintendent of State Printing, Sacramento, 1912), authorized by act of April 21, 1911. This includes statistics for 183 cities and towns and less detailed figures for each of the 58 counties, following in outline the forms approved by the National Municipal League and used by the United States census bureau. The data for cities and towns includes assessed valuation, total tax rate, bonded debt, receipts classified by sources, and expenditures classified by functions. There are per capita figures for assessed valuation, bonded debt and total expenditures; and additional data as to municipal water works, electric light plants, gas works and municipal wharves. The municipalities and counties are arranged alphabetically, which makes more difficult the comparison of data for places of similar size than an arrangement in order of population.

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Municipal Debts in Massachusetts.—The Report of the Special Investigation relative to the Indebtedness of the Cities and Towns of the Commonwealth, by the Massachusetts bureau of statistics, published under date of April 15, 1912, is a comprehensive compilation of 286 pages, presenting in considerable detail the statistical data relating to the debts of the Massachusetts municipalities. A short introduction analyses the general results of the investigation and makes the following recommendations for action by the legislature:

1. That the authorized purposes of loans be increased; and the issue of loans for other purposes be prohibited.
2. That a limit be placed on the amount that may be borrowed in anticipation of revenue.
3. That a uniform penalty be imposed on overdue taxes.
4. That the authority to establish sinking funds be repealed; and that all cities and towns be required hereafter to provide for the payment of debt by the use of serial bonds.
5. That the limit on the amount that may be raised by taxation in cities for municipal purposes be raised or abolished.
6. That the bureau of statistics be furnished with means necessary to enable it to keep the data it now gathers up to date, and to issue its reports on municipal finances more promptly.

These recommendations may well be given serious consideration in other states, as well as in Massachusetts.

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American Comptrollers Association.—The *Proceedings of the Sixth Annual Convention of the National Association of Comptrollers and Accounting Officers* held at Washington, D. C. June 8–10, 1911[1] includes, among others, papers on budgets, balance sheets and standardization by Le Grand Powers, chief statistician of the census bureau; F. A. Cleveland, chairman of the President's commission on economy and efficiency; Duncan Mac Innes, chief accountant, department of finance, New York City; and Edmund D. Fischer, deputy comptroller of New York City.

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Recent Reports on Housing[2]—In a report on housing conditions in Salem, Mass., published a few months ago by

[1] The Hector Press, New York, 1912.

[2] *Housing reports—United States and Canada.*

Albany, N. Y., 1911. Appeal to the Public Spirited Citizens of Albany. Report of Committee on the Better Housing of the Poor in Albany, appointed at a public meeting December 20, 1910.

Austin Texas, 1911. The Housing Problem in Texas. (All the reports on Texas cities by Mr. Briggs have been brought together and published in pam-

the Salem Associated Charities, the following extracts from English sources are quoted:

> Unsanitary housing has not attracted much attention yet in the United States, apart from two or three great cities. Public opinion on the subject of sanitary inspection and regulation appears to be in such an early stage that of those municipal committees which issue reports some do not mention it at all. . . . . In America they seem to me to be creating future slums without clearing away the existing ones.

The second quotation is from so authoritative a source as the eleventh edition of the *Enclycopaedia Britannica:*

> If American cities have nothing to learn from other countries with regard to bad housing, they have nothing to teach in the way of reform.

There is, unfortunately, much truth in the first clause of the latter extract. Certainly our American cities, small as well as large, have little or nothing to learn from Europe "with regard to bad housing." The worst that has been written about the old countries could be applied with little change except of proper names to American cities, and this not to New York, which has served as scapegoat too long; but to the smaller cities both east and west. Yet unless recent reports from abroad are misleading, the latter part of the quotation is not quite correct. We have something to teach. Though New York may not have as many "model" tenements to exhibit as Berlin, though it has not spent millions in demolishing insanitary areas and building workingmen's dwellings

phlet form by the *Galveston-Dallas News.*) By George Waverly Briggs, *Galveston-Dallas News*, December 11, 1911.

Baltimore Md., 1907. Housing Conditions in Baltimore. Results of an investigation made by Janet E. Kemp for the A. 1. C. P. and the C. O. S.

Baltimore, Md., 1909. Housing Conditions in Baltimore. By Edith Jones, *Baltimore Methodist*, November 25, 1909.

Baltimore, Md., 1911. Exchanging 70,000 Earth Closets for a $20,000,000 Sewer System—Baltimore. By J. W. Magruder, *Survey*, September 2, 1911.

Boston, Mass., 1904. Report of the Commission appointed by the Mayor to investigate Tenement-House Conditions in the City of Boston.

Boston, Mass., 1910. Report of the Housing Committee of Boston–1915.

Boston, Mass., 1911. Preliminary Report of the Housing Committee of the Economic Club of Boston.

Boston, Mass., 1911. Housing Reform in Cold Storage–Boston. By Edward T. Hartman, *Survey* January 21, 1911.

Boston, Mass., 1911. Housing Report of the Women's Municipal League of Boston. *Bulletin*, March, 1911.

Boston, Mass., 1912. Report of Tenement House Inspector, Women's Municipal League of Boston. *Bulletin*, February 1912.

Buffalo, N. Y., 1903. Housing Conditions in Buffalo. By William A. Douglas and Williams Lansing in *The Tenement House Problem*, edited by de Forest and Veiller.

Buffalo, N. Y., 1911. The Huddled Poles of Buffalo. By Frederic Kont Almy, *Survey*, February 4, 1911.

Cambridge, Mass., 1911. Eighth Annual Report of the Cambridge Anti-Tuberculosis Association. Deals chiefly with housing conditions.

Chicago, Ill., 1901. Tenement Conditions in Chicago. Report by the Investigating Committee of the City Homes Association.

Chicago, Ill., 1910. Housing of Non-Family Groups of Workingmen. By Chicago School of Civics and Philanthropy, *American Journal of Sociology*, September 1910. This and four succeeding reports republished as pamphlets.

Chicago, Ill., 1910. Families in Furnished Rooms, By Chicago School of Civics and Philanthropy, *American Journal of Sociology*, November, 1910.

Chicago, Ill, 1911. The Twenty-ninth Ward Back of the Yards, By Chicago School of Civics and Philanthropy, *American Journal of Sociology*, January 1911.

Chicago, Ill., 1911. The West Side Revisited. By Chicago School of Civics and Philanthropy, *American Journal of Sociology*, July, 1911.

Chicago, Ill., 1911. South Chicago at the Gates of the Steel Mills. By Chicago School of Civics and Philanthropy, *American Journal of Sociology*, September, 1911.

Cleveland, Ohio, 1904. Housing Conditions in Cleveland. Report submitted by the Housing Problem Committee of the Chamber of Commerce, January 1, 1904.

Cleveland, Ohio, 1912. What Kind of Homes? By Howard Strong, *American City*, April, 1912; National Housing Association Publication, No. 14, April, 1912.

Columbus, Ohio, 1911. The Discoveries of Columbus. By Otto W. Davis, *Survey*, July 1. 1911.

Dallas, Texas, The Housing Problem in Texas. By George Waverly Briggs, *Galveston-Dallas News*, November, 22, 1911.

Detroit, Mich., 1911. A City Awake—Detroit. By Myron E. Adams, *Survey*, August, 5, 1911.

Fall River, Mass., 1912. Housing Conditions in

at public expense, as has London, I believe that greater improvement in the housing of the mass of Manhattan's workers has been wrought during the past eleven years than in either of the European cities mentioned. Instead of providing refuges for a fraction of its people, New York squarely faced the problem of providing decent housing for all; and in that and the methods it has used, it has something to teach other countries "in the way of reform."

So much for the second quotation. As for the first, it is so evidently antiquated or based upon antiquated information that it would call for no comment were it not for its appearance in such a recent publication as the Salem annual. The list of reports which follows shows that unsanitary housing has attracted ports which have been published in attention in many of our cities. Some of these reports date back several years, but the greater number were prepared during the past two years, which have witnessed, as Mrs. Caroline Bartlett Crane says in her report on Rochester, N. Y., a "'housing awakening' . . . by all odds the most noticeable feature of social advance in America in the past two years."

In fact so numerous have been these reports, especially during the past two years, that it would be impossible to discuss them individually in a brief review. Nor is this necessary since in city after city the investigators have found the same evils, the chief difference being one of emphasis. In the list which follows I have included only those magazines of general circulation or in book and pamphlet form, and of which copies may be secured by those who are interested in housing betterment. The

Fall River. Prepared by Carol Aronovici for the Associated Charities.

Fort Worth, Texas, 1911. The Housing Problem in Texas, By George Waverly Briggs, *Galveston-Dallas News*, December 12, 1911.

Galveston, Texas, 1911. The Housing Problem in Texas. By George Waverly Briggs, *Galveston-Dallas News*, November 28, 1911.

Hamilton, Ont., 1912. Preliminary Report on the Housing Situation in Hamilton. By Dr. James Roberts, Medical Officer of Health, April 24, 1912.

Homestead, Pa., 1910. Homestead: The Households of a Mill Town. By Margaret F. Byington—Russell Sage Foundation.

Honolulu, H. T., 1912. Housing Conditions. *The Friend*, March, 1912.

Houston, Texas. The Housing Problem in Texas. By George Waverly Briggs, *Galveston-Dallas News*, December 8, 1911.

Indiana, 1908. Housing Problem in Indiana. By Albion Fellows Bacon, *Charities*, December 5, 1908.

Indiana, 1910. The Awakening of a State—Indiana. By Albion Fellows Bacon, National Housing Association Publication No. 5, December 5, 1910.

Indianapolis, Ind., 1910. Investigation of Housing Conditions in Three Districts of Indianapolis. By L. M. Campbell Adams, Indiana University Studies.

Jersey City, N. J., 1902. Housing conditions in Jersey City. By Mary Buell Sayles. Annals of the American Academy of Political and Social Science for July, 1902.

Jersey City, N. J. 1907. Investigation of Slavic Conditions. By Elizabeth T. White.

Kansas City, Mo., 1911. Second Annual Report, Board of Public Welfare. Summary of Housing Investigation to May 1, 1911, based upon compilations made by Mrs. Edith M. Cruise.

Kansas City, Mo., 1912. Report on Housing Conditions in Kansas City. Board of Public Welfare, June, 1912.

Louisville, Ky., 1909. Report of the Tenement House Commission of Louisville. Text by Janet E. Kemp, July 19, 1909.

Milwaukee, Wis., 1906. The Housing Problem in Wisconsin. By Edessa Kunz, Twelfth Bienniel Report, Bureau of Labor and Industrial Statistics.

Milwaukee, Wis., 1910. Socialists and Slums—Milwaukee. By Carl D. Thompson, *Survey*, December 3, 1910.

Montreal, Canada, 1910. Housing Problem in Montreal. Report of the First Convention of the City Improvement League.

Nashville, Tenn., 1911. Housing Conditions of the Poor in Nashville. By Rev. A. M. Trawick, Jr., *The Missionary Voice*, May, 1911.

Nashville, Tenn., 1911. Bad Housing in Nashville. By Rev. A. M. Trawick Jr., *The Missionary Voice*, June, 1911.

New Haven, Conn., 1902. Summary of the Tenement House Investigation. Prof. Henry W. Farnum.

New Haven, Conn., 1911. The Foreign Invasion of a New England Town. By Emma W. Rogers. *Survey*, June 3, 1911.

New Jersey, 1904 to date. Annual Reports of the Board of Tenement House Supervision.

New Orleans, La., 1912. Report of the Housing Situation in New Orleans. By Eleanor McMain in *The New Citizen*, February, 1912.

New York City, 1903. Tenement House Reform

many brief reports made by the National Housing Association to citizens' organizations or to municipal authorities for their guidance and which have appeared only in local newspapers or in typewritten form, and reports made to state and local conferences and published, if at all, only in proceedings etc. are not mentioned.

Even with these limitations it is necessary to add one more, that of time. So the list begins with the epoch marked by the appearance of the First Report of the Tenement House Department of the City of New York. There had been reports before that, but so thoroughly has the field been covered since that their interest is chiefly for the historian. This epoch may be termed the tenement house epoch for so vividly had the country been impressed by New York's great fight for the improvement of its tenement houses that it could scarcely dissociate housing evils from multiple dwellings. Consequently when the City Homes Association of Chicago issued its fine report in 1901 it entitled the volume Tenement Conditions in Chicago though the greater part of Chicago's problem, then as now, had to do with the insanitary condition of small houses. Another consequence of this concentration on New York's tenement house campaign was the imitation by many other cities of New York's tenement house law, a law, which, it is perhaps needless to say, passed quite over the heads of cities that had not developed tenement evils

in New York City, 1834–1900. By Lawrence Veiller in *The Tenement House Problem.*

New York City, 1903. Tenement House Fires in New York. By Hugh Bonner and Lawrence Veiller in *The Tenement House Problem.*

New York City, 1902–1903. First Report of the Tenement House Department.

New York City, 1903 to date. Annual Reports of the Tenement House Department.

New York State, 1912. Housing Conditions in New York State. First Annual Report of Bureau of Industries and Immigration. ("Labor Camps and Colonies").

Philadelphia, Pa., 1904. Housing Conditions in.— Philadelphia. An investigation made by Emily W. Dinwiddie under the direction of a committee of the Octavia Hill Association.

Philadelphia, Pa., 1911. Housing Commission. Pamphlet showing need of law requiring water supply in houses.

Philadelphia, Pa., 1911. One Million People in Small Houses, By Helen L. Parrish. National Housing Association Publication No. 7, March, 1911; also *Survey*, May 6, 1911.

Philadelphia, Pa., 1911. Housing Conditions in Philadelphia. Philadelphia Housing Commission, June 25, 1911.

Philadelphia, Pa., 1912. Drainage Conditions in Philadelphia. Philadelphia Housing Commission.

Pittsburgh, 1909. The Housing Situation in Pittsburgh. By F. Elisabeth Crowell. *Survey*, February 6, 1909.

Rhode Island, 1910. Tenement House Conditions in Five Rhode Island Cities: Central Falls, Newport, Pawtucket, Providence, Woonsocket,— Rhode Island Bureau of Industrial Statistics.

Rochester, N. Y., 1911. Sanitary Survey. By Mrs. Caroline Bartlett Crane (section on housing).

Rochester, N. Y., 1911. The Fourth Ward Survey By Edwin A. Rumball in *The Common Good*, November, 1911.

St. Louis, Mo., 1908. Report of Housing Committee of Civic League.

St. Louis, Mo., 1911. New Tenants and Old Shacks. By Roger N. Baldwin. *Survey*, February 18, 1911.

Saginaw, Mich., 1911. Sanitary Survey. By Mrs. Caroline Bartlett Crane. (section on Housing).

Salem, Mass., 1912. Glimpses of Some Salem Lives. Twentieth Annual Report of the Salem Associated Charities.

San Antonio, Texas. The Housing Problem in Texas. By George Waverly Briggs, *Galveston-Dallas News*, December 3, 1911.

San Francisco, Cal., 1911. The Romeo Flat— San Francisco. By Alice S. Griffith, *Survey*, April 1, 1911.

San Francisco, Cal., 1911. First Report of the San Francisco Housing Association. November, 1911.

South Bend, Ind., 1911. Local Housing Conditions Investigated. Eighth and Ninth Annual Reports, Associated Charities and Philanthropies.

Toronto, Ont., 1911. Report of the Medical Health Officer Dealing with the Recent Investigation of Slum Conditions in Toronto, embodying recommendations for the amelioration of the same.

Washington, D. C., 1907. History and Development of the Housing Movement in the City of Washington, D. C. By George M. Kober, M. D.

Washington, D. C., 1908. Report of the Committee on Improvement of Existing Houses and Elimination of Insanitary and Alley Houses.

Washington D. C., 1909. Neglected Neighbors in the National Capitol. By Charles F. Weller.

Yonkers, N. Y., 1904. Yonkers: The Awakening of a Smaller City to its Housing Problem. By Mary Marshall Butler, *Charities*, December 5, 1903.

comparable to New York's and left untouched their real evils of insanitary small houses.

It was not long, however, before investigators in other cities saw that bad housing is not confined to huge barracks, so we began to get reports on "housing" which describe the pestilential conditions in cities or in districts where the tenement house of legal definition was practically unknown. The law makers were slow to follow this change, however, and it was not until within the past two years that we got really effective legislation which deals with housing no matter what technical form that housing may assume; and even today we find cities like Cleveland and Detroit intent upon codes which will afford some measure of protection to those of their inhabitants who live in multiple dwellings, but singularly cautious about extending a helping hand to those who live in one family shacks and hovels.

From the time that the investigators began to see that the very worst of bad housing conditions could exist independent of multiple dwellings it would have been possible for a newly awakened city, had its people been blessed with imagination, to have taken any one of half a dozen reports already in print and by reading it have seen itself. What Charles F. Weller and Miss Janet E. Kemp saw in the alleys of Washington, Miss Kemp and others found later in Baltimore, Louisville, St. Louis and other cities with a large negro population; and, difficult as it may be for some to believe, what they found among the negroes and poor whites of these cities is practically duplicated in reports on the housing conditions among the poorer immigrants from Europe who crowd our more northern cities and towns.

There are, of course, some differences, but they are differences of degree rather than of kind. In a comparatively few of the smaller cities, like Yonkers and some of the New England manufacturing towns, the blight of the New York and the Boston types of tenement houses has spread until they personify the enemy; but throughout the greater part of the country the tenement house, though almost everywhere present, is still only one of the housing evils.

So with each city it is a matter of emphasis. In most, even today, the abominable privy vault is the greatest single factor to be dealt with. Chicago in spite of the fact that it has known of its thousands of vaults for ten years has not yet abolished them, though the valuable studies made by Miss Edith Abbott and Miss Breckinridge for the Chicago School of Civics and Philanthropy last year show that progress has been made in some of the worst of the old districts, while new vaults are being dug in new districts. In other cities, the lack of water supply is most dwelt upon. As a result of a campaign by the housing commission, following an investigation and report last year, Philadelphia secured the enactment of a "spigot" law which will somewhat better conditions in its slum districts. In other cities lack of drainage is the greatest evil; but in all the cities investigated all of these evils and others were present, and until all have been removed none of the cities will have solved its housing problem.

Perhaps it would be well to enumerate a little more fully some of these housing evils common to all the cities investigated so that the residents of cities and towns which have not yet awakened to the fact that they have a housing problem may at least know what to look for. First in order of discovery though, fortunately, not yet first in order of importance for most of our smaller cities, is the tenement house or barracks which with strict regulation may be made to furnish a sanitary shelter, but can never be made to deserve the name of home. Its peculiar dangers are dark and unventilatable rooms which breed tuberculosis, filthy halls, yards and other conveniences used in common and its many sided menace to morality due to the practical impossibility of providing for

family privacy and the wholesome rearing of children.

The worst types of small houses, such as those found in the alleys and courts of even the smallest cities, almost equal the tenement in these respects. Small houses crowded together, especially when they are three or more rooms deep, furnish a surprisingly large number of dark and unventilated rooms, as some of our anti-tuberculosis societies are beginning to discover. When in addition the inhabitants of several houses must depend upon one hydrant or, as is frequently the case, one well or spring, for their water supply and upon one privy, both placed in a common yard, small houses duplicate the evils long thought peculiar to the tenement house, and deserve the title "horizontal tenements" given them by Lawrence Veiller.

Though the alley and court houses are far more wide spread than the comfortable citizens of many of our "home" cities dream, bad housing extends beyond them. It includes lot overcrowding with its attendant shutting out of light and air from living and sleeping rooms, dark halls, unsanitary plumbing as well as no plumbing at all, cellar living rooms and damp or water filled cellars and basements below living rooms, piles of garbage and other refuse in cellars and yards which, with the old manure piles and the privy vaults, serve as the great breeding and feeding places for the swarms of flies which we, as a nation, are now so industriously swatting; and, most difficult of all to overcome, room overcrowding.

Yet, even with such a detailed description as this and with all the existing printed reports from other cities to draw upon, it is probable that we shall have many more reports during the next few years. For the worst of the housing evils are not visible to him who passes in an automobile, or even to him who goes along the sidewalk. The worst house may present a fair appearance from the street, it may even have its bit of lawn kept trim and neat while in the rear are piles of decaying garbage, in the cellar a pool of foetid water, and on the floors above rooms divided into cubby holes without light or air to provide accomodation for ten families in place of one. Such things, to one who has not seen them with his own eyes, are hard to believe, especially when he is asked to believe them of his own town. So it will be necessary to send out new investigators to see and report that our town is much the same as others, and back up the statement with facts and photographs labelled with street and number.

JOHN IHLDER.[1]

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San Francisco Water Supply.—The San Francisco *Municipal Record* of July 18, 1912, contains a summary of the report by John R. Freeman, an engineer representing the city, to the board of army engineers appointed to investigate and report on the proposed Hetchy Hetchy Valley water supply for San Francisco. Mr. Freeman's report, submitted on July 15, makes a volume of 200 pages. As a result of his investigations he reaches the conclusion that the city's grant under the Garfield permit is not sufficiently broad to preserve the public interest. He proposes a project to furnish 400,000,000 gallons of water daily, with 70,000 horse power (and ultimately 150,000) at approximately the same cost as the former plans. This includes a dam 300 feet high, to flood the floor of the valley to a depth of 270 feet; a wagon road to the valley, a scenic road in the valley on both sides of the lake, and aqueducts and tunnels to San Francisco. The report also deals with sanitary control, the use of the water for irrigation and replies to objections on ground of interference with scenic features of the valley.

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Vocational Education in Europe.—A report to the Commercial Club of Chi-

[1] Field secretary, National Housing Association.

cago on Vocational Education in Europe, by Edwin G. Cooley, formerly superintendent of schools in Chicago, has been published under date of March 27, 1912. This deals mostly with Germany, including chapters on continuation schools, secondary technical schools, textile and other trade schools, commercial schools and agricultural schools. Some special institutions in Austria and Switzerland have also been examined and discussed.

This report, with that on Vocational Education by the City Club Committee[1] forms a valuable handbook of information on a subject now receiving much deserved attention from educational and municipal authorities and also from business organizations and others.

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Ohio Constitutional Amendment.—The forty-two proposed amendments to the constitution of Ohio, agreed to by the Constitutional Convention in that state, and voted on at a special election on September 3, were printed in pamphlet form, with explanatory statements in reference to each amendment, for distribution to the voters. The pamphlet also contained a facsimile of the official ballot used at the election.

Copies of this pamphlet were distributed by the Municipal Association of Cleveland, with two leaflets, one discussing the municipal home rule provisions, and the other urging voters to vote in favor of the home rule and merit system amendments.

[1] See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 457.

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Missouri Tax Amendments.—The Municipal Finance and Taxation committee of the St. Louis Civic League has issued a brief report of eight pages on the proposed taxation ammendments to the constitution of Missouri, which are to be submitted to popular vote at the coming election in November. This report unqualifiedly endorses the amendment providing for a permanent Tax Commission. It considers the proposed "single tax" on land and franchise values preferable as a fiscal measure to the existing system; but that some defects of the present system may be removed by less revolutionary changes. Further the single tax should be judged by its social and economic results quite as much as by its purely fiscal qualities.

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Pittsburgh Flood Commission.—In March, 1912, the Pittsburgh flood commission published an extensive report of 900 pages of text and tabulated matter, including numerous maps and diagrams This contains the results of the surveys, investigations and studies made by the commission for the purpose of determining the causes of, damage by and methods of relief from floods in the Allegheny, Monongahela and Ohio Rivers at Pittsburgh, Pa., together with the benefit to navigation, sanitation, water supply and water power to be obtained by river regulation.

CURRENT MUNICIPAL LEGISLATION

EDITED BY JOHN A. LAPP

Legislative Reference Department of the Indiana State Library

The Trend of Milk Legislation.—An evidence of the growing intelligence of the public on the subject of city milk is seen in the new series of municipal ordinances dealing with the question.

The old series required that the milk be clean and unadulterated, that cans be washed, that they be kept covered in the grocery store when not in use, that no dairy should be located within the city limits, etc. They assumed that milk would be handled in cans, that all dairies were necessarily filthy, and that the words "clean and unadulterated" covered the requirements for the milk itself.

Modern ordinances deal first with the dairy. Regulations of the city board of health of New York City, approved April 13, 1910, afford a good illustration. The cows must be kept clean, be groomed daily, the udders and teats washed before milking, fed only good food, and they must be healthy, the latter to be proven by a veterinary surgeon's test at least once a year.

The stable must be located in a clean spot, at least 100 feet from other stables or cess-pools, there must be adequate ventilation with good windows and ample room for the herd, cement or brick floors, ceiling dust proof and to be kept clean, walls and ledges thoroughly swept, cow-beds clean and sanitary, stables to be white-washed at least twice a year, all manure to be immediately removed from vicinity of stable, lime scattered on floors —and the stable to be used exclusively for milch cows.

A milk house also is required, this likewise to be located at least 100 feet from any cess-pool, it must be kept clean and well ventilated, with running water, and ice for cooling the milk and equipment for the thorough washing and sterilization of all utensils used in handling the milk.

There are further specific regulations concerning cleanliness and good health of milkers and their method of milking; concerning the milk, its quality, methods of immediate cooling, handling and shipping.

These regulations are by no means drastic. A number of cities have required that all milch cows must be tuberculin tested and that all utensils be thoroughly sterilized—neither of which are required in New York.

Concerning means of distribution the newer ordinances are eliminating the use of cans for all retail deliveries, providing that all milk must be delivered in sealed bottles or jars; that these bottles shall have been thoroughly sterilized before they were filled and that bottles shall not be refilled or milk exchanged from bottle to bottle except at the dairy or milk-plant. There are also careful specifications concerning "refrigerators, compartments, or other places" where milk or cream is "kept, stored or handled." The delivery wagon must be clean, the driver must be free from any contagious disease, and the milk must be kept at a temperature not exceeding 50° while in process of delivery.

In the newer ordinances, moreover, "cleanliness" and "good quality" are defined. Take as an illustration the recent ordinance of the city of Tacoma, Washington (adopted January 3, 1912): "It shall be unlawful for any person to sell, exchange, or deliver, offer or expose for sale, or have in his possession with intent to sell or deliver any milk containing less than 8.75 per cent of milk solids, exclusive of fat, or less than 3.25 per cent of fat;" or any "unwholesome milk," in the definition of which is included, milk "when it contains any pathogenic bacteria or germs, pus cells, or blood cells; or when it contains more than 200,000 bacteria or germs of all kinds to

the cubic centimeter;" or "when any part of it has been exposed to any contagious or infectious disease."

Beyond such requirements for the general milk supply several cities have gone further in an attempt to make possible a higher grade of milk for their citizens. Ordinances of April 7, 1911 in Berkeley, California, and of March 27, 1911 in Syracuse, New York, provide for "inspected milk," milk meeting special requirements to be certified by the city board of health. Such milk shall not contain more than 100,000 bacteria per cubic centimeter at the time of delivery.

City boards of health do not have the power to certify the so-called "certified milk" (milk with less than 10,000 bacteria), this power being invested by copyright in local medical milk commissions, but in a number of cities the boards are doing much to promote the use of this highest grade of milk, especially for infant feeding, either by published recommendations or by helping to provide for its use at hospitals, infant welfare stations, babies' dispensaries and the like.

The trend of all this legislation is toward the repression of dairying as a side business and the encouragement of the business as a specialty—at the same time educating the public to demand milk which will cost more money, but in the long run will be far cheaper.

F. D. Loomis.[1]

*

Chicago's New Milk Ordinance.—During the last five years the Chicago health department has been urging that the milk supply should be as safe as the meat supply An ordinance providing that milk not produced by cows shown by the tuberculin test to be free from tuberculosis must be pasteurized, was passed. During the last session of the state legislature this ordinance was rendered inoperative by the enactment of a state law declaring it unlawful for cities to require a tuberculin test of cattle employed in the production of milk. The city law department has since given an opinion holding the entire city ordinance, including that part referring to pasteurization, to be invalidated by the state law. While the ordinance was in effect about 70 per cent of the city's milk supply was pasteurized and, therefore, was comparatively safe.

After its invalidation the health department could not require that milk should be pasteurized or make adequate provisions for the inspection of the supply and in consequence the entire city was placed at the mercy of the dairy men who furnished uncleaned milk.

A new ordinance was drafted by Dr. George B. Young, commissioner of health, and recommended for passage to the city council by the committee on health, of which Dr. Willis O. Nance is chairman. After considerable agitation and opposition it became a law on August 14. It provides that all raw milk sold in Chicago shall be of a grade defined as "inspected" and shall meet the following requirements:

(a) Farms on which produced must score 65 per cent "good" and after January 1, 1915, the score must be 70 per cent "good."
(b) Cows must be clean and healthy, free from tuberculosis and other infectious diseases.
(c) Milkers must be clean and healthy.
(d) All steps in the production of the milk must be carried out under cleanly and healthful conditions.
(e) Milk must be promptly cooled and kept at temperature of 60° F., or below, until delivered to the consumer.
(f) Shall only be sold in tightly capped bottles and shall bear date of production.
(g) Shall be free from dirt and disease-producing bacteria or other matter detrimental to health; the high limit of bacterial content to be 100,000 per cubic centimeter from October 1 to May 1, and 150,000 from May 2 to September 30.
(h) The dairy farmer must agree and guarantee that he will notify the department of health at once if any contagious diseases occur on his farm.

Dairy farms complying with these requirements are given a permit by the department of health. This allows their

[1] Indianapolis Indiana.

milk to come into the city as "inspected" milk.

This ordinance further provides that milk which cannot meet the requirements for "inspected" milk, but which is produced on farms scoring over 55 per cent "good," and is free from gross dirt, and contains less than 1,000,000 bacteria per cubic centimeter, and is kept at a temperature of 60° F., or below, may be sold in Chicago if pasteurized according to the regulations prescribed in the ordinance.

FREDERICK REX.

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Petty Loan Brokers.—A law passed by the recent session of the legislature of Maryland requires every person, firm, corporation or association engaged in making petty loans to secure an annual license, the charge for which is $10. The license must state fully the name or names of the person or corporations and of every member of the firm or association authorized to do a petty loan business and to give the location of the office or place of business. It is also provided that no person, firm, corporation or association shall transact or solicit business under any other name or at any other place of business than that named in the license and only one place of business shall be maintained under the same license.

Provision is made that no petty loan broker shall receive any sum in the way of bonus or commission or as fees for the examination of property, etc., in addition to legal interest for sums exceeding $500. For loans less than $500, the following charges are permitted in addition to legal interest, these charges to cover the examination of property, registration of papers, affidavits, etc.: On a loan not exceeding $10, a total charge of not more than $3; from $10 to $30, not more than $5; from $30 to $50, not more than $6; from $50 to $100, not more than $8; from $100 to $500, not more than $8 plus 5 per cent of the excess above $100. If the loans are made payable within less than four months, the charges shall be a proportionate part of the above, that is, if the loan is for one month, the charge shall be one-fourth of the charge mentioned above.

Interest and charges may be deducted when the loan is made but it is unlawful to divide or split up any loan either directly or indirectly for the purpose of exacting or receiving any charge in addition to those provided, nor can any petty loan broker hold more than one loan on which such charges are made from the same borrower at the same time. It is also unlawful to make any charge for the renewal or extension of any loan in addition to the lawful interest. There may be a renewal fee not exceeding 3 per cent of the balance of loan extended or the amount of loan renewed when the period of renewal or extension is four months or more and a proportionate part when period is less than four months.

Every chattel mortgage or bill of sale taken by a petty loan broker shall state fully the amount of such loan, the rate of interest, the period or periods at or within which the same is to be paid, the amount of money actually received by the borrower and the cost to the borrower. The penalty for the violation of any provision of the law is a fine not exceeding $100 for the first offense and for each subsequent offense, a fine of not more than $100 and imprisonment for not more than thirty days; one-half of the fine in each case to go to the informer and every loan in connection with which there is a violation is made null and void and the borrower is entitled to recover from the lender all sums returned or paid on account of such loan.[1]

HORACE E. FLACK.

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Municipal Lodging Houses.—Reports collected from the larger cities of the United States show that few cities have legislated definitely and positively for

[1] In the January issue we will publish an article on "Philadelphia's Solution of the Loan Problem" from the pen of Franklin Spencer Edmonds, Esq.

municipal lodging houses. In most all cases the existing legislation is in the nature of amendments to ordinances and laws which are generally those ordinances relating to the health department, the recreation commission, or the department of charities and corrections. In some cases the municipal lodging house is a division of the department of public safety.

Los Angeles has just recently made provision for the establishment of a lodging house and labor bureau, the budget committee of the city council appropriating $10,000 for the purpose. The house will have free beds, baths and other features for the unfortunate. The Back to the Land Association has a connection with the work, and through the association employment will be provided for the unemployed of the city.

In the eastern cities the overseers of the poor conduct such lodges as are in operation, and the rules and regulations made by the overseers govern the houses.

The Erie County lodging house in Buffalo was opened by the county supervisors and is under the supervision of a committee composed of members of the supervisors, which committee appoints a superintendent under civil service rules. The regulations for the house are made by this committee, and the expense is met by appropriation of the supervisors.

The houses of Chicago are under the direction of the bureau of sanitation. No special ordinance created the lodging houses, they being established as a substitute for the old plan of allowing—and compelling—lodgers to sleep in the police stations. Provision for the lodging houses are made yearly in the budget.

The law on the subject is very simple in Cincinnati, in fact is merely an addition of a few words to an old statute under the general enumeration of municipal powers. The administration of the department of the municipal lodging house rests in the superintendent.

The board of public welfare, a recent creation in Kansas City, has an agreement with the Helping Hand Institute, according to the terms of which the former body pays the institute for each homeless dependent man, woman, or child at the rate of ten cents per meal and fifteen cents per lodging. By this cooperation the expense of the city in caring for those requiring temporary shelter is probably one-third of what it would be, if the entire cost were borne by the city. The city profits by the years of experience of the institute in dealing with the problem, and on the other hand the institute has been able to provide improved facilities.

Minneapolis administers its lodging house through the board of charities and corrections which is a branch of the city government, having jurisdiction over all city hospitals, charities, and the workhouse.

New York has a very similar arrangement, the administrative officer being a superintendent appointed by the commission of charities.

Temporary relief was provided in St. Louis during the past winter by an emergency ordinance appropriating $5000 for immediate use. The bill provided for a board composed of the mayor, the president of the council, and the speaker of the house of delegates. This commission elected a superintendent of the lodging house, who conducted the institution under the supervision of the commission. Some permanent arrangement for a lodging house will be launched during the coming season.[1]

JESSE CUNNINGHAM.[2]

*

Ohio State Building Code.—The building code commission of Ohio is composed of the secretary of the state board of health, the state fire marshal, and the chief inspector of workshops and factories. The law creating this commission directed these officials "to cause to be prepared a code of regulations with

[1] See Municipal Reference Number of the St Louis Public Library Bulletin.

[2] Municipal reference librarian, St. Louis.

respect to the construction, safety, sanitary conditions and maintenance of public andother buildings. . . . [1]

A portion of the code was enacted, by the last general assembly, into law.[2] It included part 2, special requirements, part 3, standard devices, and part 4, sanitation. Seven groups of buildings are outlined for consideration: (1) Theatres and assembly halls, (2) churches, (3) school buildings, (4) asylums, hospitals, and homes, (5) hotels, lodging houses, apartments and tenement houses, (6) club and lodge buildings, and (7) workshops, factories and mercantile establishments. The details for only two of these groups have been worked out, these being (1) Theatres and assembly halls, and (3) school buildings.

A theatre is defined as a building or part of a building in which persons congregate to witness spectacular, vaudeville, burlesque, dramatic or operatic performances. Buildings in which scenery is used, or in which motion pictures are shown, are classed as theatres.[3]

Assembly halls include buildings or parts of buildings used for lodges, dances, lectures, concerts and entertainments using no scenery.

School buildings include "all public, parochial and private schools, colleges, academies, seminaries, libraries, museums and art galleries."[4] All buildings containing one or more rooms used for the assemblying of persons for acquiring knowledge are classed as school buildings.

Two grades "A" and "B" are made from the above buildings, with special requirements for each. "A" includes all rooms or buildings appropriated to the use of primary, grammar or high schools—all pupils being eighteen years or less. "B" includes the rooms or buildings appropriated to the use of schools, colleges, academies, seminaries, libraries, museums and art galleries.

Among the numerous subjects (forty-two sections in all) considered in special requirements for theatres and assembly halls are: courts, subdivisions, and fire stops, proscenium walls, workshops, storage and property rooms, dressing rooms, heater room, smoking room, seats, seat benches, aisles and foyers, false openings, mirrors, automatic ventilation, proscenium curtain, means of ingress and egress, stairways, gradients and inclines, passageways, elevators, exit doors, scuttles, wall hand rails, stage vestibule, floor and roof loads, heating and ventilation, sanitation, electrical work, oil lamps, gas lighting, fire extinguishers, fire-proof paint, hooks and axes, finishing hardware, summer theatres and air dromes, and roof gardens.

For school buildings, twenty-nine sections are considered. Among the special requirements are many of the points noted above, but these additional ones are mentioned: Dimensions of school and class rooms, rest room, assembly room, seats, desks, aisles, optics, fire alarm, blowers in workshops, and guarding machinery and pits.

Part 3 of the code is devoted to standard devices. The sections are so arranged that the detailed descriptions of, or specifications for the numerous devices, correspond to the sections in part 2. The standards considered are: Fire walls, fire stops, fire doors, shaft and belt openings, rolling steel doors and shutters, fireproof windows, fire ladders and fire escapes, fireproof heater room, enclosed fireproof stairways, ventilating stoves, stand pipes and hose, and fire extinguishers.

Sanitation is part 4 of the code, and deals with the following subjects: Sizes of pipes, materials, joints and connections, traps and cleanouts, house sewerage and drains, yards, sub-soil and other drains, roof conductors and leaders, soil waste and vent pipes, refrigerator, safe and special wastes, fixtures, toilet rooms, inspection and tests, catch basins, sump and ejectors, cesspools, septic tanks, vaults, pumps and hydrants.

The enforcement of the provisions of the code devolves jointly upon three

[1] Act of May 13, 1910, 101 O.L., 202.
[2] Act of June 14, 1911, 102 O.L., 586–728.
[3] 102 O.L., 590. [4] 102 O.L., 619-20.

groups of officials—the state fire marshal and the fire chiefs in the municipalities, the chief inspector of workshops and factories and the building departments in the cities, and the state board of health and the local boards in the cities.

The penalties for violating the code fall upon the holders of property and the builders. For any violation, the offense is deemed a misdemeanor and is punishable by a $1000 fine.

The building code comission is now working out the details of other sections of the various titles, and will report at the next session of the general assembly in January, 1913.[1]

CHARLES WELLS REEDER.[2]

Housing Code, Columbus, Ohio.—The housing code of Columbus was approved by the mayor on March 7, 1911.[3] It contains all the provisions which must be observed when a person proposes to build a new tenement house or dwelling house, all the provisions which must be observed when an existing tenement house or dwelling house is altered, all the provisions which must be observed with regard to the maintenance of a tenement house or dwelling house, and all provisions which an owner must observe with regard to the improvements required in a tenement house or dwelling house erected prior to the passage of this code.

As the major portion of the code deals with tenement houses, the special regulations concerning them will be considered.

No tenement house shall occupy, in the case of a corner lot, more than 75 per cent of the area; in the case of interior lots, not more than 50 per cent. The height of the house cannot exceed the width of the street, unless the building is set back a distance equal to the excess height. Behind the house there must be a yard 18 feet deep. If another house is to erected upon the same lot, the walls must be 24 feet apart. One side of the building must front on a street. In the apartments, one room must have at least 150 square feet of floor area, and all other rooms must have at least 100 square feet area, except the bath and kitchen. Each room in the house must have a window, which opens directly upon the street, yard or court. The window must have at least an area of 12 square feet and the top must be at least 7 feet from the floor. The total window area of each room must be at least one-eighth of the floor area. Some exceptions are made to these provisions for bathrooms. A chimney must be erected so that coal can be used, and a grate must be built for every apartment. Running water must be piped for the sink and the bathroom. Add to these requirements numerous provisions for fire protection and sanitation, and it is seen that the code sets a high standard for construction.

Permits for building are issued by the building department after the plans and specifications have been approved and a drawing of the lot submitted, showing the location, character and size of all buildings on it. The department requires the full name, residence by street and number of the owner of the building and of all persons interested financially in it. No building can be occupied until the department issues a certificate that it conforms to all the requirements in the ordinance.

Violations of the code are punishable by a fine of $5.00 to $200.00 for the first offense, and $25 to $500 for the second and subsequent offenses. The enforcement of the provisions devolves upon the health department and upon the building department.

Many of these same provisions are applicable to dwelling houses, but as a rule the restrictions are not so rigid.

CHARLES WELLS REEDER.

[1] 102 O.L., 440.

[2] Ohio State University Library.

[3] Ordinance no. 25609, city of Columbus.

Lighting of Moving Picture Theatres.—On July 22 the Chicago city council passed the ordinance introduced by Alderman Thomson requiring that every portion of a moving picture theatre shall be lighted during exhibitions. The ordinance provides that "every portion of a moving picture theatre, including exits, courts and corridors, devoted to the use or accommodation of the public shall be so lighted by electric light during all exhibitions and until the entire audience has left the premises that a person with normal eyesight shall be able to read Snellen standard test type 40 at a distance of 20 feet and type 30 at a distance of 10 feet; normal eyesight meaning ability to read type 20 at a distance of 20 feet in daylight. Cards showing types 20, 30 and 40 should be displayed in the corridor of every such theatre together with a copy of this ordinance." Proprietors of moving picture theatres are liable to a fine of not less than $25 nor more than $200 for each offense for failure to comply with the ordinance.

The proposed New York City moving picture ordinance prepared by a committee of citizens appointed by Mayor Gaynor and which was reported favorably by the committee on laws and legislation to the board of aldermen contains a section on illumination during performances identical to the Chicago ordinance. San Francisco, however, in an ordinance passed April 25 provides that moving picture theatres shall "during the hours that the same be open to the public be kept lighted and illuminated in an amount of light equal to the light diffused or radiated from six 32 candle power incandescent lights at a voltage of 110, with a resistance of four 440 ohms per lamp, in a room containing 1250 square feet of floor surface."

The above ordinances are pioneers in the movement for making moving picture theatres safer morally to the large number of human beings patronizing them.

FREDERICK REX.[1]

[1] Chicago, Illinois.

Recent Maine Election Laws.—Two Maine laws enacted in 1911 have been tried out this year.

The first of these is a very stringent corrupt practices act[1] said to have been modeled on that of Connecticut. This law is applicable to all elections and caucuses in the state and the first opportunity to test its validity and effectiveness was presented by those municipal elections held in the latter part of the year. In Portland where the normal Republican majority has recently been disturbed by an active attempt to repeal the prohibitory law, a Democratic city council which has been in power for a year was reëlected. Thereupon an investigation was instituted by a committee of prominent citizens with the result that they joined in a petition to a justice of the supreme judicial court in the manner provided by this law, complaining that the law had been violated by an unlawful use of money in procuring the election of the mayor and council. The object of the petition was to obtain an investigation of the facts before two justices of the court who by their findings may avoid the election. In case they hold that the successful candidate was guilty he is made ineligible for holding public office for a term of four years. The investigation presents an effective method of making public information which may later be utilized as a basis for criminal proceedings.

In this instance the cause was assigned for hearing on January 20 and a large number of witnesses produced in court. The proceedings were then interrupted by a petition on the part of the respondents for a writ of prohibition directed against the court on the assumption that it was an inferior tribunal and as such subject to be restrained by the supreme judicial court if it exceeded its jurisdiction. The specific allegations related first to the constitutionality of the trial court, it being claimed that a provision in the Maine constitution forbidding

[1] Public laws 1911, chapter 122.

justices of the supreme judicial court from holding any other office under the state except that of justice of the peace makes them ineligible to sit in the court created by this act. This of course raises the question whether they do constitute a new court or whether they merely sit as justices of the supreme judicial court. The other allegations attacked the form of the petition presented under the corrupt practices act and raised the question whether the citizen who seeks to set in motion the machinery of the law is bound by all the technicalities of common law pleading, in fact whether or not the law is workable under reasonable circumstances. The petition for writ of prohibition was dismissed by the court on the ground that it was not a proper proceeding to raise the constitutional questions. Exceptions to this ruling were also overruled, and the respondents thereupon petitioned the supreme judicial court for a hearing on the sufficiency of their exceptions. Counsel for petitioners consented that the case be presented to the law court in this way and propounded certain questions relating to the constitutionality of the law in order that this question might be determined before proceeding further, and the case was argued before the law court early in July and is now under consideration.

The second of the two laws above referred to is the direct primary law. This is not the act which appears in the public laws of 1911, chapter 199, but is another and more comprehensive law which was originally proposed to the legislature by the advocates of the direct primary and for which the act, chapter 199 of the public laws was substituted as a party measure. Instead of resorting to the referendum to defeat the inadequate, and as some believed obnoxious legislation, the friends of the direct primary proceeded by the initiative and presented their law to the people at the special election held in September, 1911. It was there accepted by an overwhelming majority and it is understood that this has the effect of repealing chapter 199 and superseding it by the thorough and careful legislation thus adopted, which has the distinction of being the first enactment in this state proceeding directly from the people.

The new law was tried in the nomination of a few representatives for the legislature to fill vacancies, this being made necessary by reason of the special session of the legislature to be held in the spring; in June the regular primary election was held, nominating United States senator, representatives to congress, governor, state auditor, state senators and representatives to the legislature, and all county officers. The law while providing the preferential primary for United States senator does not provide for a presidential primary, and it does not apply to the city or town elections. The new law is generally recognized as affording a more satisfactory method of nominating than the convention system, formerly in operation, which had become discredited particularly in the selection of county officials.

Under the convention system the friends of the sheriff or other most powerful candidate on the ticket controlled the selection of other officials wholly unrelated to his office. As this is seen to be impossible under the new law, the voters are more willing to acquiesce in the result of the nominations, and the vote at the fall election is expected to be unusually large. In some ways the law has not proved satisfactory. It gives a much greater influence to the cities, where more interest is taken in elections, than in the country towns. In some instances, by substituting a plurality nomination for that of a majority it obviously defeated the will of the people as where two or more candidates representing one side of a public question divided the majority vote, thus permitting the election of the minority candidate. This was illustrated in the vote of the preferential primary for the United States senator on the Republican side where the conservative candidate was

nominated over two other candidates each openly advocating progressive principles, whereas the progressives had just previously come into complete control of the party in all parts of the state and elected their delegates to the national convention.

CLARENCE W. PEABODY.

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The St. Paul Charter.[1]—All the functions of the city, under the new charter excepting those belonging to the courts which remain as formerly constituted, are vested in a mayor and a council of six members and the city comptroller, elected every second year. The mayor presides over the council and has the veto power. He also assigns the members of the council to their respective departments at the beginning of their terms and may change this assignment at the end of the first six months. He may also prefer charges against a member of the council as such or as the head of a department for "dishonesty, unfaithfulness, or incompetency." In that case it becomes the duty of the council to publicly try the accused and remove him if the charges are found true. The mayor is barred from presiding at the hearing.

The amendment abolishes the existing boards having charge of the schools, the library, police, fire protection, public works, auditorium, workhouse, parks, and it also discontinues the conference committee. The six councilmen are styled commissioners of finance, public works, public safety, education (including schools and libraries), parks and playgrounds, and public utilities. The city comptroller is the accountant, but is not a member of the city council. He is also the civil service commissioner. It is his duty to prepare the annual budget and submit it to the council for consideration.

[1] See NATIONAL MUNICIPAL REVIEW, vol. i, p. 476.

Nominations for the elective positions are made on petitions signed by fifty voters. The two candidates for mayor, the two for comptroller and the twelve for councilmen who receive the largest votes in the primary become the candidates at the regular city election.

Ordinances petitioned for by 10 per cent of the voters must be considered in the council and passed within 90 days, otherwise submission at the next regular election is mandatory. If 25 per cent of the voters petition for the passage of an ordinance and the council fails to pass it within four months, submission at a special election becomes mandatory provided no regular election occurs within one year.

All except emergency ordinances are subject to a referendum within 30 days of their passage on a petition of 8 per cent of the voters. Even the emergency ordinances are subject to repeal on petition of 8 per cent within 90 days of their publication, excepting only the annual budget in so far as the items are not new. The council may on its own motion refer measures to a vote of the people. Single sections of an ordinance are also subject to repeal by referendum. Ordinances adopted on initiative petition or by a referendum vote are not subject to repeal by the council within one year.

The council by a five-sevenths vote may remove any elective or appointive officer of the city. On petition of 25 per cent of the voters any elective officer, excepting judges and constables, may be subject to a recall election, but not for the first or last six months of his two-year term.

The commissioner of finance has in fact the functions of a city treasurer, but he is also a member of the city council. The comptroller is not a member of the council, but is expressly required to secure the council's approval of the forms and systems of accounts he proposes to use. It would seem that the treasurer has therefore a position of greater authority and influence than the comptroller.

This departure from the commission type in the organization of the finance department is an evident attempt to correct a supposed defect in the original plan. It looks as if the cure might be worse then the disease. The comptroller is also placed in the very awkward position of having the functions of the civil service commissioner thrust upon him. The authority of the commissioner of public utilities is stated thus in section 444:

> Subject to the council said commissioner shall have full control of the regulation within said city of all telephone, telegraph, lighting, heating, power, street railway, and other municipal transportation, and all other public utilities services whatsoever, which are subject to the control of said city government. He shall exercise such powers in accordance with ordinances passed by the council upon his recommendation. All licenses, permits, and all other privileges granted by said city to public utility owners or operators, their lessees or representatives, shall be first approved by said commissioner.

This provision seems to make the commissioner superior to the council of which he is one of seven members and over which the mayor presides and has the suspensory veto power. At the same time he is required to exercise his powers in accordance with ordinances of the city council passed on his recommendation. The question as to which is the real superior and which the subordinate is left somewhat clouded. The St. Paul charter does not give the mayor charge of any definite department, nor does it group all the administrative divisions of the city under the seven departments over which the comptroller and the six councilmen preside, as is the case under the typical commission plan. The actual test of practice alone can finally determine its true worth as an intrument of government. Meanwhile the voters' hopes are high.

WILLIAM A. SCHAPER.[1]

[1] Professor of political science, University of Minnesota.

Home Rule—Virginia.—Practically the only general legislation directly affecting the government of municipalities, enacted during the recent session of the legislature was the passage for the second time of a joint resolution proposing an amendment to the state constitution by which the legislature was authorized in granting municipal charters to vary from the existing constitutional form of charter, but it was required in all cases to provide for the continued election by popular vote of a number of fee officeholders, such as city treasurer, city commissioner of the revenue, city sergeant or jailer, commonwealth's attorney, and clerks of the circuit and corporation courts.

This action of the legislature was taken in response to a demand for an amendment to the constitution which would give the cities home rule and the commission form of charter.

The proposed amendment cannot become effective unless ratified next November by popular vote, and no charters could be granted under it until the 1914 session of the legislature.

Realizing this fact, a number of cities wishing to obtain a more workable form of city government secured special acts authorizing them to reduce the number of their city wards and the size of the bicameral council. This has been effected in Richmond, and also in the city of Norfolk.

Ever since the substance of the joint resolution proposing an amendment to the state constitution authorizing the legislature to vary from the present constitutional form of city charter, was made public, the advocates of commission government have felt that the proviso that the numerous officers named should always continue to be elected by popular vote would prevent any city obtaining a charter under which the commission, so-styled, would actually govern. This view was and is held by the executive committee of the Commission Government League of Norfolk, which has consistently opposed the passage of the

joint resolution, and which now opposes its ratification. It has urged a substitute and has published it with arguments in a pamphlet recently issued.

C. P. Shaw.

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Public Utilities.—Two laws have been enacted or have gone into effect since the review of public utility legislation in the April number of the National Municipal Review was written (vol. i, p. 280) California's law passed in December, 1911, went into effect in March (see page 469, National Municipal Review) and Rhode Island enacted a law which was approved in April, 1912.

These laws follow in general the lines laid down by the enactments in other states, placing public utilities under a commission and requiring adequate and safe service at a just and reasonable price. In Rhode Island, the new commission is the public service commission and in California, the railroad commission.

In California the law applies to street railways, gas and electric companies, furnishing heat, light and power, telegraph and telephone companies, water companies for all purposes including irrigation, docks, wharves and warehouses besides all of the common carriers usually found under the railroad commission acts. It does not apply expressly to municipally owned utilities.

Rhode Island's law applies to street railroads, telegraph and telephone companies, and companies furnishing gas, electricity, water, light, heat or power but it does not apply to municipal waterworks.

The usual powers are granted to both commissions for the investigation on complaint of rates and service, testing of measuring devices, etc., and for fixing rates and service. Two striking differences are noted in the method of enforcement and appeal to the courts. Under the Rhode Island law an appeal to the court acts as a stay in putting a new rate into operation unless the judge expressly decides otherwise. Under the California law the order goes into effect at once and an injunction is granted only by the judge after notice and hearings.

The Rhode Island law adopted the Wisconsin provisions against delays through new evidence being presented to the court which was not presented to the commission. If new evidence is presented the case is stayed until the commission has had a chance to review it. California adopted the provision in a modified form. No appeal can be taken until after a request has been made for a rehearing and been refused. In the court the commission's findings of facts shall stand. A suspending bond must be filed by the public utility to cover any damages by the delay and may require the moneys derived from excess rates to be placed in a trust company to be refunded if the rate stands.

The Rhode Island law gives very little authority to cities and towns. The California law has a new provision to safeguard its policy of home rule for cities. The provision reads:

> This act shall not effect such powers of control over any public utility vested in any city and county or incorporated city or town as at an election to be held pursuant to laws hereafter passed by the legislature a majority of the qualified electors voting therein of such city and county or incorporated city or town shall vote to retain and until such election such power shall continue unimpaired in such city and county or incorporated city or town; but if the vote so taken shall not favor continuation of such powers they shall hereafter vest in the commission.
>
> Such municipality may afterwards vote to rescind its action.

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Louisiana Legislation of 1912.—Considerable attention was given to municipal affairs during the recent session of the legislature. This was natural in view of the fact that the administration was a reform administration. The wholesale prevalence of graft and corruption in state and local politics having, within

the past two years, resulted in the formation of the Good Government League. The result of the election last fall was that the league candidate for governor, Luther E. Hall, was elected, and the organization also secured a large representation in the legislature. The municipal legislation in question reflects, therefore, the policies of the reformers. While it cannot be claimed that the advocates of clean government were able to carry out their full program, such substantial progress has been made as to entitle Louisiana to be ranked among the so-called progressive states.

By the passage of the Powell bill, Louisiana has definitely adopted the commission form of city government. The new act applies to all cities, with the exception of New Orleans. By it the Louisiana cities are divided into two classes. Cities of the first class are those having a population of 25,000 and over; all towns of 2500, or over, and cities between 5000 and 25000 inhabitants make up the second class. It is provided that in cities of the first class the governing body shall consist of a mayor and four councilmen; in cities of the second class, of a mayor and two councilmen. All are to be elected for four-year terms. In cities of the first class, the mayor is to be commissioner of the department of public affairs and public education; in cities of the second class, he is to be commissioner of the department of public health and safety. At the time of announcing their candidature for the offices of mayor or commissioner, candidates are required to designate the department or departments for which they wish to run.

The annual salaries provided for mayors and commissioners depends upon the population of the city. In the case of mayors, they range from $5000 to $7500 in cities of the first class, and from $1000 to $3500 in cities of the second class; the salaries of commissioners, from $3000 to $5000 in cities of the first class, and from $250 to $2400 in cities of the second class.

The holder of any elective office may be recalled at any time after the expiration of the first year of his incumbency, upon request of 33⅓ per cent of the electors qualified to vote for a successor. The popular initiative of ordinances is granted on petition of 33 per cent of the vote cast for all candidates for mayor at the last preceding general election.

The main part of the referendum clause is as follows:

> No ordinance passed by the council, except when otherwise required by the general laws of the state or by the provisions of this act, except an ordinance for the immediate preservation of the public peace, health, or safety, which contains a statement of its urgency, and is passed by a two-thirds vote of the council, shall go into effect before ten days from the time of its final passage, and if during the said ten days a petition signed by electors of the city equal in number to at least 25 per centum of the entire vote cast for all candidates for mayor at the last preceding primary municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance and if the same is not entirely repealed, the council shall submit the ordinance . . . . to the vote of the electors of the city, either at the general election or at a special municipal election to be called for that purpose; and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof.

It was also provided that:

> Every franchise or grant for interurban or street railways, gas or waterworks, electric lights or power plants, telegraph or telephone systems, or other public service utilities within said city, must be authorized or approved by a majority of the electors voting thereon at a special election called for that purpose by the council.

In any city of the state, qualified under this act, if 25 per cent of the duly qualified electors so petition, the mayor shall submit the question of organization under this act at a special election. A

clause also provides that if after six years from the date of adoption 33 per cent of the electors so petition, a special election shall be held to decide whether the commission government shall be abandoned and a return made to the original charter.[1]

It will readily be seen that the framers of the above act drew freely upon the experience of the state of Kansas, and of Galveston, Des Moines, Boston, and other cities, but that they have introduced important modifications to suit local conditions.

For the city of New Orleans a special commission form charter was passed. Many of the features of the old charter have been retained, the initiative, referendum, and recall have been adopted, and penalties for the violation of any of the provisions of the act have been provided for. It provides for a commission council consisting of a mayor and four councilmen at large, to be selected "by the preponderance of the votes" cast at the municipal election, and to hold office for four years. Each of the five is required, before entering upon the duties of office, to give a bond in favor of the city of New Orleans in the amount of $50,000 for the faithful performance of his duty. The mayor is to receive an annual salary of $10,000; each of the commissioners, $6000. The mayor is to be commissioner of public affairs; the other departments are to be assigned by majority vote at the first council meeting.

"The mayor and commission councilmen may be removed from office or recalled therefrom in the manner now or hereafter provided by the constitution." The percentage required for the popular initiative of ordinances is 30 per cent. The referendum clause is like the referendum clause in the general act outlined above, with the exception that the percentage required is 30 per cent instead of 25 per cent, as in that act. The council also has the power to directly refer certain ordinances to the voters.[2]

Provision was made for the submission of this act to the qualified voters of New Orleans, for their approval or disapproval, at a special election held August 28, 1912. The commission form of government was approved almost without opposition. A special primary election for the nomination of candidates for the five city offices will be held the first Tuesday in October, 1912. The election of mayor and commissioners takes place the following month.

In order to remedy the long existing evils resulting from officials refusing the public the right of examining their accounts, which evils were prevalent because of the expense and delay of proceedings by mandamus or injunction, a special act was passed. It defines what constitutes public records, states who are qualified to examine them, and provides penalties, not only in cases where such right of examination is refused, but also for examiners who violate the provisions of the act.[3]

An act creating a supervision of public accounts has been so amended as to give the governor the power to send the supervisor, popularly known as the "travelling auditor," into an examination of municipal accounts and to employ detectives to further investigations.[4]

MELVIN JOHNSON WHITE.[5]

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Legislative Investigations.—In the April number of the NATIONAL MUNICIPAL REVIEW,[6] was given a list of the investigations relating to municipal subjects authorized by the state legislatures in 1911. A large number of additional investigations on important subjects were authorized in 1912 particularly in Massachusetts, New Jersey and New York. The list follows with the date of the reports. Where the investigation is to be made by administrative officers that fact is noted. Otherwise it is to be made by a special commission appointed by the governor.

[1] Act no. 207, 1912. [2] Act no. 159, 1912. [3] Act no. 242, 1912. [4] Act no. 77, 1912. [5] Tulane University.
[6] April, 1912, p. 282.

Civil service and pensions, especially the operation of the New Jersey law. New Jersey, 1913.

Manner of selecting juries. New Jersey, 1913.

Tunnels and other means of communications across the Hudson, joint commission with New York. New Jersey, 1913.

Assessment for taxation. New Jersey, 1913.

State, administration, consolidation of state offices, having related functions. New Jersey, 1913.

Manufacturing conditions in cities of first and second class in New York, continued from 1912. New York, 1913.

Cost of living. Distribution of foodstuffs, etc., continued from 1912. New York, 1913.

Fire losses, life and property in the metropolitan district and prevention. Massachusetts, 1913.

Tuberculosis, definite policy for treatment. Massachusetts state board of health, 1913.

Corporations, relative to holdings of voluntary associations and corporations and consolidations. Attorney general, railroad commissioners and gas and electric light commissions, two senators and four representatives. Massachusetts, 1913.

Port of Boston, development. Directors of the Port, 1913.

Grade crossings-apportionment of cost. Massachusetts Board of Railroad Commissions, 1913.

Education of wards of the state or city of Boston. Compensation to cities and towns furnishing. State board of education, 1913.

Taxation-reimbursement of cities and towns for loss from the exemption of certain properties. Massachusetts, 1913.

Gas and electricity, codification of laws. Massachusetts, 1913.

Stocks and bonds, protection of public from sales of stocks and bonds. Massachusetts bank commissioner, attorney general and corporation commissioner, 1913.

Dependent children and mothers, support in the homes. Massachusetts, 1913.

Water supply, investigations of means of water supply for seventeen cities and towns. Massachusetts, 1913.

State office building, to provide accommodations for state officers. State house commission. Massachusetts, 1913.

Infantile paralysis. State board of health. Massachusetts, 1913.

Industrial education, to establish school in designing silverware and jewelry in Taunton. State board of education. Massachusetts, 1913.

——, investigate textile schools and schools for the deaf which are aided by the state. State board of education. Massachusetts, 1913.

Schools-transportation of pupils attending high schools. Massachusetts state board of education, 1913.

Election laws, codification, Massachusetts, 1913.

EVENTS AND PERSONALIA

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I. STRUCTURE OF GOVERNMENT

Home Rule For Ohio Cities.—The constitutional amendment submitted to the voters of Ohio on September 3, providing for municipal home rule, was adopted by a safe majority, although the official figures have not yet been reported. Forty-one other amendments were voted upon at the same election, six or seven of which will probably be defeated. No one of them was as bitterly opposed as was home rule. It had the united opposition of the public utility forces of the state. Tons of literature were scattered by hand and through the mails. Misrepresentation was resorted to without stint. The farmers were told that municipal home rule meant municipal ownership which would remove the public utilities with their enormous valuation from the tax duplicate and would mean a consequent increase in taxes to the farmer. The truck gardeners and daity men were appealed to on the ground that the cities would soon enter into the truck farming and dairy business under the public utility clause of the amendment. The conservative forces in the cities were urged to vote against the threatened "orgy" of municipal ownership and operation. No less than ten separate pieces of literature were distributed over the state through the mails and through the factories by men employed by the opposition. Most of this literature was without the endorsement of any well known individuals or organizations. Some of it was mailed from New York and other cities outside of the state. Country newspapers were furnished with all of the boiler plate they would use.

But the opposition was seriously handicapped. Both political parties, in their state platforms, had endorsed the amendment; practically all of the daily papers in the larger cities were strongly favorable and the labor organizations throughout the state were committed to its support. Moreover, the preliminary campaign last winter conducted by the Municipal Association of Cleveland with its report on "Constitutional Home Rule for Cities," followed by the call of a municipal conference in Columbus composed of delegates from eighty-two cities, and the organization of the Ohio Municipal League proved so successful that little impression could be made on the favorable attitude then created. The cities of the state and newspapers were committed to the support of home rule in advance.

The opposition's chief influence was exerted in the rural and more thinly populated counties, but since the cities of Ohio now constitute more than 55 per cent of the population, the rural counties were practically helpless in the face of a heavy urban majority such as this amendment received. Cuyahoga County, with Cleveland, cast 49,845 for and only 9704 votes against the amendment.

The cities and villages of Ohio by this amendment are granted probably as flexible and complete home rule powers as have the cities of any state in the Union. If the constitutional convention had accepted the original draft as submitted to it by the conference of cities, Ohio would have been without question more advanced in this regard than any of the

states; but the "drys" and the conservatives in the convention whittled down the proposal and added some safeguards which will make it possible for an ultra-conservative court to place restrictions upon the home rule powers which were never intended by the convention. This has been the experience in practically all of the states where the home rule principle has been established. The legal contest will undoubtedly center about the general grant of powers to the cities "to frame their own charters and to exercise thereunder all powers of local self government not in conflict with general laws."

Forms of City Government.—Under this amendment municipalities will have the option of choosing their own forms of government in any one of three ways:

(a) A city may elect a charter commission of fifteen citizens to frame a charter and submit it to the voters for approval.
(b) The legislature may enact into law several forms of charters, any one of which a city or village may adopt by vote of the people.
(c) A city or village may decide to be governed by the general municipal code under which they are now acting.

Under either of these forms of government cities and villages "shall have authority to exercise all powers of local self government and to adopt and enforce within their limits such local, police, sanitary and other similar regulations as are not in conflict with general laws."

Public Utilities.—The amendment fortunately settles the question of municipal ownership and operation of utilities, and thus will make the framing of a new charter much simpler and its adoption by the electorate much easier. Under this amendment municipalities may own and operate any public utility and may issue bonds therefor within the limit of bonded indebtedness fixed by law; and may also issue mortgage bonds beyond the limit of bonded indebtedness, provided the mortgage bonds are made a lien only on the property and revenues of the utility itself.

Excess Condemnation.—The Ohio amendment goes further than any other state in its provisions for excess condemnation. The only other state that by constitutional amendment provides for this form of appropriation is Massachusetts, its terms are more limited in its extent than the Ohio provisions. The Ohio amendment provides that a municipality may not only appropriate or otherwise acquire property for a public use but "may, in furtherance of such public use, appropriate or acquire an excess other than that actually to be occupied by the improvement and may sell such excess with such restrictions as shall be appropriate to preserve the improvement made." The only limitation on this power is the provision that if the city issues bonds to pay for this excess in whole or in part, then the bonds must be "a lien only against the property so acquired for the improvement and the excess."

Limitations on Municipalities.—Care was taken to safe guard the general interests of the state by reserving specifically to the General Assembly the authority

(a) To limit the power of municipalities to levy taxes and incur debts.
(b) To control elections, education, public health and all other matters affecting the welfare of the state as a whole.
(c) To require from municipalities uniform reports as to their financial condition and to provide for the examination of the vouchers, books and accounts of all municipal authorities or of public undertakings conducted by such authorities.

These specific limitations together with the general limitation "not in conflict with general laws" give the state ample powers to protect the cities and villages from serious misgovernment.

Charter Making—The machinery by which a charter may be framed is similar in most respects to that in other home rule states, but differs in this particular: The legislative authority will pass an ordinance submitting to the voters the question "Shall a commission be chosen

to frame a charter?" On the same ballot will appear the names of fifteen or more candidates for membership on the charter commission. These names will appear without party designations. The fifteen receiving the highest votes will constitute the commission.

The amendment goes into effect on November 15, and a number of the cities are already considering the advisability of calling an election to determine the above question and to select the fifteen commissioners. Cleveland is planning to be among the first.

During the next two or three years Ohio municipalities will give their attention to the extremely interesting and educative process of discussing, framing and choosing their own forms of government. The effect of this discussion on general public interest in municipal affairs cannot fail to be both stimulating and healthful. MAYO FESLER.

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The Recent Charter Campaign in Grand Rapids.—The recent proposed charter was patterned after a state or the federal constitution in that it divided the functions of government into legislative, executive, and judicial departments. It took from the legislative department, elected by the people from twelve wards, all powers possible to be taken away, and vested them in the administrative board. What functions of the legislative department could not be taken away, by reason of the requirements of the home rule act of the state, were made as difficult of execution as possible.

The chief issue was whether under the guise of home rule and local self-government the city should have a centralized, irresponsible, administrative board vested with vast discretionary powers. A corollary to this issue was the proposition that officers vested with discretionary governmental power should be elected; that the administrative board being appointed and thus not directly responsible to the people, should not be vested with such power.

All the administrative power of the city was vested in the administrative board to be composed of the mayor and the heads of four departments, called general managers, appointed by the mayor, confirmed by the council, to serve at the will of the mayor and subject to removal by him without cause.

The general managers were expected to be experts, chosen for their qualifications, with a view to business management of the departments. There was nothing in the charter, however, requiring them to have any qualifications whatever, and the probabilities were, under existing conditions in Grand Rapids, they would be political henchmen of the mayor's selecting. The mayor had veto power over the actions of the board except when the other four members were unanimous. The entire contractual power of the city, without approval by any other body, was vested in the administrative board. The right of referendum over all contracts, placed in the existing charter by reason of the "water deal" experience of the city in 1901, was taken out, the approving power of the council over contracts likewise abolished, and the council was specifically forbidden to alter or annul any contract.

The board of estimates was abolished; every department sent its budget applications direct to the council; the provision of the present charter requiring budget applications to be itemized was left out, and the council was given two weeks in which to prepare a budget by ordinance.

The construction of all public works was properly left to the administrative board, but that board was permitted to approve its own construction work. From the time the money was appropriated the council had nothing to do with its expenditure nor with the approval of the expenditure. The general manager of each department would spend all the money for his department and draw the vouchers therefor. So long as any balance was left in the particular

account, the comptroller must allow the vouchers and the treasurer would pay them. The effect was that so long as the public moneys were spent for the purpose for which they were appropriated there was no checking power to determine whether the city got what it paid for. The application for the appropriation did not have to be itemized and the time within which the council could investigate the application was reduced to the minimum. The temptations for graft and dishonesty were strong and always present.

GEORGE C. BROWN.

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Montreal Commission Government.—Montreal with its more than half a million inhabitants, is the largest city on this continent that has accepted the principle of government by commission. It is true that this acceptance is not complete, namely it has a board of commissioners or controllers composed of the mayor, and four members elected for four years, each receiving $10,000, which has the responsibility for the government of the city; but there is still retained the board of aldermen to whom the commissioners have to report, and who have the power of veto. The improvement in civic conditions during the two years and a half of the working of the new system has been remarkable, and with the improvement in the streets and economical employment of the city's funds, Montrealers are developing a civic pride and an interest in civic affairs hitherto unknown.

There are, however, dangers looming ahead. The power of veto possessed by the city council is being employed to harass the controllers and to delay improvements with the ulterior object of discrediting the system and bringing about a return to old conditions. The plot, however, is so obvious, and the good faith of the board of controllers so well established that there is already abundant evidence that these machinations are recoiling upon the heads of the plotters, so that if these tactics continue it appears not unlikely that the city and citizens will promote a bill to do away with the aldermen rather than with the controllers.

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Denver City Charter Amendments.—Three amendments to the city charter of Denver were voted on at the city election, May 21. One provided for a special tax of one-half mill on the dollar for five years for the purchase and improvement of park lands in the mountains near Denver; another provided for a playgrounds commission and a special tax of one mill for playground purposes; and a third provided that violators of the excise laws shall be tried in the county court. The defendant may have his license revoked or be fined if found guilty and no license is to be granted to a person twice committed of violating the excise laws. The mountain park and excise amendments were carried, but the playground measure was lost.

As a result Denver is to have "something different" in the way of a park system. The first park the city is likely to buy is the range, five miles distant from the city, which include Mount Morrison. Tentative plans call for improvements which will preserve as many of the wild features as possible and make them accessible by the construction of good roads and trolley lines.

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Greater Wheeling.—Under the leadership of the board of trade and the Municipal League, a campaign for a Greater Wheeling and commission government has been started. It is proposed to unite Wheeling and its West Virginia suburbs under commission government. At the present time there are about 150,000 people in Wheeling and its immediate vicinity.

II. FUNCTIONS

Australian Federal Capital Plan.—The considerations that determined the location of the federal district of the commonwealth of Australia at Yass-Canberra, seventy-five miles inland in New South Wales, were probably the scenic beauty and the equable, bracing climate. The great industrial regions will no doubt gravitate sometimes to the more fecund tropical tracts of the island continent. The federal district is a plateau region of some 900 square miles bounded and intersected by the evergreen mountain ranges of the Australian Alps, with intervening meadowed vales, and will serve not only as a great federal park, but as a water shed of the Cotter River for an ample pure gravity water supply for the capital city. It is at present a region richest in flora and fauna of any in the state, in years of extreme drought affording refuge to the wild life of the surrounding country, while its clear waters perpetually teem with fish.

The spot selected for the city itself, four miles square, with a large portion of flat and gently undulating land dotted with a few conspicuous hills, averages about 2000 feet above the sea, is admirably drained and set in a rugged amphitheater of foot hills flanked by three considerable mountains backed by beautiful blue ranges with occasional snow-capped peaks. In the natural state the only water course in the city site is a small winding stream whose willowed banks in the flat lands practically conceal its waters in any general view of the landscape. On the whole the setting is one that would be appropriate for any inland city and possesses that degree of superior advantages that might be expected to result generally from the opportunity for intelligent selection in advance of occupation.

In formulating schemes for the development of this site into a capital the designers were allowed almost unrestricted scope as to forecasting ultimate needs, even as to the disposition of railroad and all other external artificial influences.

The first step governing the distribution of the activities for which a city must provide, involves analysis of the possibilities of the dominating site characteristics. In the case of the Yass-Canberra location the salient features may be summaried as follows:

1. The sheltering, forested ranges and distant snow-capped peaks to the southward and westward for background.
2. The three local mountains in and about, 700 feet above the city for aspect and prospect: conical Ainslie at the northeast corner, round topped Black Mountain near the northwest corner and to a lesser degree, irregular flat-topped Mugga Mugga just beyond the southern limits.
3. The lesser hills rising to 200 feet above the city plain for the sites of the most important structures, the center of busiest groups making of them as terminals of radial thoroughfares, at the same time most conspicuous and most accessible.
4. The water way and its flood bottoms as water basins for landscape and architectural effect, recreation and amelioration of a characteristic climatic tendency toward hot dry spells.
5. The remaining generally flat valleys for purposes of general industry and habitation.

The individuality of cities grows as much out of the nature of the work they must house as out of their sites. The monumental scale and imposing function of the government of a continent is an extreme case of specialization of occupation but in no case exceptional except in its magnitude. Here, however, government though the chief is not the only function of the capital which is required to provide public museum and recreation headquarters, the national university and a military post in addition, all of which under one supreme authority are capable of being made to contribute to an aggregate expression which necessarily takes precedence over the other and more general requirements. The arrangement of these groups

dominating an entire city follows the same laws as the arranging of rooms for them might in a single building. The fitting of them to the site characteristics as enumerated suggested naturally the placing of the government group so as to extend on terraces from the highest of the internal hills in front of the sheltering background to the south side of a central water basin, thus forming, as it were, a stage setting, set off by a broad basin from the slopes of the opposite shore, the auditorium as it were, where are located the public gardens with a stadium in center, theaters behind and museums, galleries, baths, gymnasia and zoölogical structures stretching out on either side, in turn backed by the business portions of the city where the greatest throngs could benefit by a prospect of the ensemble. The high, isolated conical peak, Ainslie behind, in turn forms the final vantage point for the comprehensive spectacle of the whole.

Of the other federal groups, the university finds its appropriate setting in the hilly site in front of Black Mountain behind its own circular water basin, half a mile in diameter, which affords the first link of a grand water axis which, starting from Black Mountain, extends at right angles with the axis of the other groups and which, prolonged through the central basin, one mile long, and through another circular terminal basin at the other end, is still further prolonged to the far shores of an irregular upper lake from which rises a precipitous, bald knob where the military headquarters take on the characteristics of a citadel.

In general this arrangement of all the federal buildings on heights about two coördinate garden front axes, the individual groups set off and connected by formal water basins forms one dominant grouping of parallel-set buildings around which the possible confusion and hubbub of other enterprises must always remain subordinate.

However, the buildings of the municipality affords further opportunity for extending the harmonious public groupings. They are made to conform with the axes of the federal group by the location of their two centers, first that of municipal affairs and administration and second that of the markets and railway station equi-distant from the center of the federal grouping to form the terminals of an avenue which may be considered a secondary axis, parallel with the water axis.

Avenues of about a mile and a third connecting the regions of the two municipal centers with each other and with that of the executive apex of the federal group, form together a triangular circuit surrounding the governmental department and recreation groups (with the one mile long basin between) and connect the capitol, university and military groups. This triangle may be considered as typical of the main divisions into which the city is platted which are triangular, the object being to concentrate traffic and travel along lines directly connecting important points, at the same time leaving inter-spaces that are easily accessible yet without the necessity for long cross thoroughfares and therefore free for large and varied units of subdivision to suit special needs. Thus it is possible to have within the city a chain of five lakes varying between one half mile and two miles in diameter as well as federal departments, public gardens, university and a military post, which are quarters of ample area, yet which suffer a minimum of interference from and present a minimum of interference with the city traffic circulation. The bulk of the area of the city is similarly available for residence settlement relatively secluded and free from probable intrusion of business.

Whereas the subdivisions of the public groups take the forms of courts, quadrangles or other congregations of massive structures on the one hand or large open areas of water, hill or plain on the other hand, the subdivisions for smaller units of private occupations can also be determined primarily by architectural and utilitarian needs rather than according

to exigencies of communication lines. In general rectangular plots of various shapes and size afford the best building sites and permit an orderly relationship between structures. Stub streets that are not blind alleys permit easy communication without encouraging through traffic and afford terminal sites and commanding vistas. In the flatter regions, therefore, such arrangement is obtained by keeping the distribution street systems parallel with or perpendicular to their nearest circulation avenue, the blocks adjacent to which are provided with shipping alleys and are shallower and shorter than those farther back. where unit block lengths of 1000 feet are often allowable and considerable depth for garden area is possible without interference with the normal circulation of the city. That the city of the future must provide far greater area per family than have those that evolved from the walled-in pedestrian-transit periods is evidenced from the relative death rates of about two to one between Liverpool and Port Sunlight or Birmingham and Bourneville or London and Letchworth or Hampstead Garden suburb.

The intersection between the divergent rectangular systems is accomplished without acute corners anywhere by confining the change of direction of the ring cross street to the middle portion of block frontages affording a degree of informality in building arrangement at the points farthest from the busiest thoroughfares and where the space and latitude for varying treatment is the greatest.

Hilly regions adapted to finer residence purposes are frequent in the site and invite irregular rounded plots rising above the ravines through which the winding thoroughfares are directed as far as possible.

The apices of the triangular plots are typically the points of convergence of at least six avenues and consequently the centers of those trades and industries demanding general patronage and requiring general distributive facilities, the arterial avenues themselves being adaptable for the location of trades whose patronage and delivery are concerned primarily with the local needs of the inhabitants, or of the special interest occupying the contiguous portions of the triangular areas. This is a lineal alignment of trade such as has evolved with the improved street transportation systems of cities in general as shown in the old main roads leading out from town which have been transformed into miles of stores as they have become absorbed in the bulk of our metropolitan cities.

Of the three convergent points already mentioned, the one at the junction of the two sides of the governmental triangle where is established the executive capitol has radiating from it altogether eight traffic avenues, none of which, however, approaches nearer the structures than the limits of a park a half mile in diameter embracing the capitol hill. Three of these avenues lead to rocky fastnesses of the higher residence districts. Moreover the executive department while the principal focus of the government group can by no means be considered a business center nor will it be possible for a congestion of street traffic to occur at such a large round point. Similarly the municipal administrative center and the station and market center are disposed as groups around occupied central features and elevated building sites easing the circulation and preventing the development of congestion rising out of crossing concentration.

Following the example of many German cities, lines of growth definitely foreseen are supplemented by provision for other development that may or may not eventuate. Five outlying centers, one for residential suburb, one for manufacturing and three for horticultural and semi-agricultural pursuits are allotted, respective sites that seem most advantageous through scenic setting railroad facilities or soil conditions as the case may be. The object of early establishing these centers is, of course, largely to prevent misdirected improvement or

speculative experiment and will have further justification in fixing the character of the lines which are circulatory the direct through lines of communication whose aim it is to take care of the motor, tram and long distance traffic of the city. These streets are in all cases 200 feet wide allowing not only for three separate paved ways to accommodate tram and fast and slow vehicles, but for tree and shrub accompaniment to render them as satisfactory parkways as are narrow boulevards restricted to the aristocratic private vehicles and even with larger possibilities because of the greater importance in the structures facing them.

There are recreational drives through the public gardens, parks and mountain reservations. They form continuous lines along the embankments of the triple basins in the heart of the city which are arranged for circulation.

For the greatest proportion of the city streets however, the function of circulation is subordinate to that of distribution to and from the wide tram and vehicle ways. These tributary streets are of less width and formality with narrower pavements and greater areas of unintersected blocks proportionate to the less demand for publicity in the occupation served. It is not necessary that the precise nature of this street development be determined far in advance of the actual use of many of those districts lying between the main thoroughfares, and possibilities need not be denied to individual initiative and imagination to work out with comparatively free hand, architectural and landscape developments of recessed, courts, closes, quadrangle, terraces, driveway subdivisions, garden commons and irregular hill gardens.

There is better possibility for a satisfactory development to take place in this capital than has perhaps ever been afforded to a city.

Here is a whole district of 900 square miles to be held and controlled by a single unhampered governmental authority backed by the taxing power of the country starting with an organic plan and capable of directing improvement so that the immediate consequences of its activities to land values can be foreseen, even directed.

Starting with a mean site cost of $5 per acre the result from keeping forever the land rent for the support and development of the public works of the city, as is now the announced policy of the Australian government, can be realized by comparison with the tremendous values created for private owners during the past thirty years of governmental activity in Washington, D. C., with the rentals now raised from the square mile of the heart of Chicago that formerly belonged to the school district and of which the few scattered parcels that have been retained contribute so largely to the support of public education there or by citing the fact that the cost to Australia of repurchasing now the entire federal district is less than the amount required, for instance to obtain a suitable site in Sydney for a single parliament house.

It is on some such terms of leasehold as are now made between builders of city blocks and private land holders generally that the private improvers of Australia's capital will instead deal with the state.

Stimulus greater than elsewhere to easy development may be expected too from the avoidance through the policy of the inconveniences and the waste in useless travel and service equipment around a tremendous proportion of area that in our cities is vacant or withheld from effective use for private speculation in increment values.[1]

[1] An American, Walter Burley Griffin, of Chicago, won the prize open to the citizens of all countries for the best plans for the new Australian capital (see NATIONAL MUNICIPAL REVIEW, vol. 1, p. 136). This item is based upon the plans prepared by Mr. Griffin. It is interesting not only in itself as a contribution to city planning, but because of the prominence it gives to American architects in this particular field.—EDITOR

Seattle's Parks—The parks of Seattle may be taken as a guage of the growth, prosperity and public spirit of that enterprising city. Seattle has now 1267 acres of parks, equivalent to one acre to every 244 of the population. Altogether there are 34 parks, 20 miles of completed boulevards and park drives and 31 playgrounds, 12 of which are equipped with apparatus and supervised. The park board has control also of 59 small open spaces in different parts of the city. It does not control, however, the great high school stadium, one of the most remarkable open air public recreation centers in the United States. These figures make an enviable showing, especially when it is recalled that nearly all of this park making has been accomplished in a single decade—practically since 1903 when the Olmsted plans were approved and adequate powers granted. Notwithstanding the extent of Seattle's park system, its claim to having "the largest system west of Chicago" may be safely challenged by Kansas City. The parks and playgrounds of Seattle have cost nearly $5,000,000 and the annual appropriation for maintenance now exceeds $1,000,000, the regular annual park tax being three-fourths of a mill on the assessed valuation of property. The public spirit of Seattle is shown in the fact that so many of its parks have been gifts to the city and further that the citizens have never yet been called upon to vote "No" on a park bond issue. Seattle is not content merely to acquire parks: it plans definitely to have them used. To this end, it prints and distributes through the libraries, schools, hotels, etc., an illustrated pamphlet describing the parks, with full information as to their character and location and the convenient ways of reaching them.

JOHN NOLEN.

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Roadtown, The Endless House.—As a substitute for block dwellings and isolated houses and as a solution of the problem of the best economic and hygienic arrangement of both public and domestic services and their supply from a common source for a large community, Edgar S. Chambless, of New York, suggests the latest thing in utopias, the roadtown, or the endless house. *The Municipal Journal*, May 27, 1910, thus illustrates the suggestion:

> Cover up the London and Northwestern Railway from London to Liverpool, include gas and water pipes, electricity supply, and telephone conductors in the tube thus formed; superimpose a continuous three or four-story building for the whole distance; divide the building into, say, 50,000 houses; provide a means of access from each house to the underlying railway, make a roadway of the continuous roof, and you have "Roadtown" on a small scale.

The Journal aptly comments upon the scheme of Mr. Chambless, "The economic aspects of Roadtown affords matter for interesting speculations."

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Chicago Plan Shows Progress.—The immediate construction work by the city on the Chicago plan is progressing. The widening of Twelfth Street is now in the hands of the court commissioners, and the zone of assessment has practically been fixed, the valuations on buildings and property to be condemned are complete, and all is nearly in readiness for the trial of the condemnation suit, after which it will be necessary to submit the matter to the people in a referendum for the bond issue necessary to defray the expense of construction work. The improvement of Michigan Avenue is in the hands of the board of local improvements. Last July the board voted to have an estimate prepared of the cost, work on which is nearly complete. It has been a tremendous task for the municipal engineering department on account of the structural nature of the work entailed by the two level plan and the double deck bascule bridge over the river, the first of its kind to be constructed anywhere. The

improvement of the lake front has been delayed by a strong opposition on the part of a small citizen's committee, whose agitation forced the whole project into a chaotic condition. Concessions, however, are being made on all sides and a speedy adjustment of difficulties is expected.

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Chicago Suburban Citizens take Hand in City Improvement.—Tired of seeing a row of unsightly business buildings as they alight at the Northwestern Station, twenty-five millionaires of Lake Forest have subscribed $10,000 each to clean up Main Street in front of the station and make the gateway to their wealthy residential district worthy of its position.

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Des Moines Brilliant Financial Record Under Commission Government.—On the whole, no part of the commission administration of Des Moines is more brilliant than its financial record. During the five years of the operation of the commission government, the taxes for purely municipal purposes, have averaged practically 37 mills against 39½ mills during the last eight years of the old plan of government, a reduction of 2½ mills. This is true in spite of the fact that the city has made more public improvements in the last five years than in any like period in its history, and that, furthermore, a very large part of the improvements were made out of current funds. Two years ago the city spent $50,000 out of current funds for building permanent roads into the country. The city has invested in its civic center $700,000, more than one-third of which has already been paid out of current funds. The city has been involved in litigation with the street railway, water and gas companies at an expense of $100,000 out of current funds, one result of which was a reduction of the gas rate from $1 to 90 cents per 1000 cubic feet, thereby saving the citizens $60,000.

Memphis Commission Government.—The Memphis commission government, in spite of a strenuous defense of its own existence, has had time not only to extend the sewerage and paving of the city but also to reduce the cost of lighting, establish an efficient purchasing agency and an adequate system of accounts, and inaugurate a municipal program including a tuberculosis and a communicable diseases hospital, municipal baths and a board of charities. Under its administration the tax rate was reduced to $1.59 per $100.

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Street Car Sanitation in Kansas City, Mo.—Each year for the past three years the public health committee of the City Club of Kansas City has laid before the management of the Kansas City Metropolitan Street Car System and before the local board of health the committee's observations and recommendations on the ventilation and cleaning of the street cars and the prevention of the fouling of the cars by expectoration and dropping refuse.

The company's officers have received the committee cordially, have afterwards consulted with it as to methods, and are now sending most of their cars out every morning very much cleaner than before. The offending "expectorators" are now very often spoken to by the conductors—with a consequent lessening of the habit.

With the approval of the committee the railway has printed on the back of its "transfers" requests to desist from expectoration and from placing refuse on the car floors, but such transfers are used only during a short period in the spring. The committee advised their use at frequent intervals through the year and especially during the winter months. The committee's suggestion that "Do Not Spit" signs be placed in the cars was not followed.

At the suggestion of the committee the board of health has periodically arrested expectorators. This, with newspaper

publicity has been a salutary influence, but has not been carried on as constantly as the committee feels that it should be. The committee believes that conditions are very much better than they have been but that constant service and publicity must continue for years.

A perfect system has not yet been applied to the cars of this city. The ventilation of a street car should be automatic in action, and impossible of manipulation by either conductor or passenger. It has been noticeable this winter in the larger, new cars, that frequently the passengers were practically sealed up in air-tight cars or else were subjected to drafts and rain or snow through misadjusted ventilators.

SCOTT P. CHILDS.

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San Francisco Municipal Street Railways.—San Francisco will be the first large city in the United States to own and operate a municipal street railway system. The history of the undertaking begins with the expiration of the franchise of the Geary Street, Park and Ocean Railway in 1908. Since that time the city has been pushing plans to reconstruct and operate a line along the route of that railway, and in 1909, the matter was well enough advanced for the city to issue bonds to the amount of $2,020,000. Various delays again retarded actual constructive work, and it was not until last May that contracts were signed under which real work has commenced. The route extends along Geary Street and Point Lobos Avenue to Fifth Avenue to Golden Gate Park.

Since May the mayor has given orders to the board of public works to prepare plans for the construction of a road from the terminus of the Geary Street line at Geary and Market Streets, down Market to Sansome, where connection will be made with the tracks of the United Railroads, against which there is a decree of forfeiture by the superior court now under appeal to the appellate court. The Union Street line running from the ferries to Columbus Avenue, to Union Street thence to the Presidio, will fall into the hands of the city December, 1913, by the expiration of franchise grants.

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English Municipal Ownership Profits.—James Carter, borough treasurer of Preston, an English town of 117,000 population, has recently compiled the statistics of 86 towns of England and Wales bearing upon the effect of municipal trading for the year 1911–12. This compilation shows 82 of the 86 towns contributing something for relief of taxes. The total of these contributions was $7,156,285. Thirty-nine of these same towns, and four others, operated certain undertakings that were not self sustaining. Taxes to the amount of $1,822,795 had to be levied to meet deficits, leaving a net total of $5,947,400 contributed to the relief of taxation. Altogether only 13 out of 86 took more from taxes to support public undertakings than they took from the latter to relieve the former.

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Two Harbors' Municipal Coal.—Under the authority of the council, granted December 4, 1911, the city of Two Harbors leased ground from the Duluth and Iron Range Railroad Company, which is a branch of the United States Steel Corporation, to build a coal shed and arranged with the Carnegie Fuel Company of Duluth for obtaining coal at wholesale prices. Under the municipal plans, the city took orders, bought against orders on file, collected payments and paid cash from a separate coal fund distinct from the city funds. The city announced a scale of prices 35 cents a ton under the established price for nut, 60 cents under for other anthracite and 75 cents under for soft coal. It contracted with a teamster to deliver the coal at 43 cents a ton, and had allowed 10 cents a ton for clerks' fees. The cost and charges left in the hands of the city on the first car of nut

$9.61, or about 35 cents a ton; and on two cars of soft coal about 18 cents a ton. The wholesalers of the city, as was anticipated, raised objections, and the fuel company declared that the city must be a member of the Retail Coal Dealers Association to continue to enjoy its privileges with the company. Application was made to the association, which is an organization covering six states, but membership was refused. Complaint has been made to the federal government, and the situation is now under investigation by the Department of Justice relative to the presence of restraint of trade. The dealers deny any unlawful practice, maintaining that the field is open to anybody but that the city is not a proper body for membership in the association.

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English Municipal Coal.—The London Municipal Journal quotes an English newspaper as saying: "Remarkable scenes were witnessed at Middleborough yesterday. For hours a stream of people invaded the Town Hall to give orders for coal which the corporation had secured for sale at about half the prices charged by the retailers. No less than 300 tons were sold in 5 cwt, parcels at ls. 7d. to ls. 9d. per cwt." No wonder that Bradford, Glasgow and other English corporations are seriously considering plans for establishing corporation coal supplies.

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Los Angeles Municipal Cement Mill.—The Los Angeles Cement Mill is notable for being the first and only one in the United States and for enabling the city to make large savings in the construction of its two hundred and forty miles of steel and concrete aqueduct by the introduction of tufa cement to American builders. The approximate cost of the tufa cement under municipal production was 85 cents a barrel. An article in the Municipal Journal thus comments upon this cost: "No cement mill in the country can compete with the city at this figure, and field and laboratory tests show the product to be equal, if not superior, to any hydraulic cement in the market."

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Municipal Amusements.—There seems to be a good deal of uncertainty as to just where municipal functions begin and end. Municipal band concerts are a familiar form of entertainment all over the country. It remains for Houston, Tex., however, to elaborate the idea in carrying out the city's plans for concerts both summer and winter, and utilizing the auditorium, which seats 8000, for lectures and entertainments and especially moving picture shows which will be given on Sunday afternoons and evenings as well as on week days. A town in Kansas, (Haven) is now operating a "nickel theatre" giving moving picture shows at a nominal admission and free entertainment when a surplus is piled up. Another town in Kansas, Concordia, has the distinction of having the first municipal theatre, which is a gift from Mrs. G. C. Brown in memory of her husband.

III. POLITICS

Henry J. Arnold, the new mayor of Denver, elected by 20,000 plurality and all of his running mates upon the Citizens' ticket headed by Judge Ben B. Lindsey won. It was essentially a landslide in which the average voter buried the old city hall organization.

William G. Evans, a traction magnate, led the Republican campaign, his candidate being Dewey C. Bailey. Mayor Robert W. Speer was the Democratic leader, his candidate being J. B. Hunter. It was probably the bitterest political fight in the history of Denver, where there have been many bitter political fights. As one commentator declares "Unless everybody forgets what was said in the heat of passion there should

be libel cases for the courts for the next year, for nobody took pains to mince words."

Denver has woman suffrage, so that the vote was extremely heavy, approximately as many women as men having engaged in the contest. No analysis of the vote is yet available to show the part played by women in the contest.

The motto of the new movement is, "Retrenchment, Economy and Reform." Perhaps the most significant and creditable result of the election was the vote for Judge Ben Lindsey, who was overwhelmingly re-elected to the juvenile court, which is recognized as an example and inspiration. Judge Lindsey's comment on the Citizens' victory is, "The city is going to be more prosperous and beautiful than ever with its community wealth for the people and not their exploiters. . . . . There was a clear line up between the Progressive and reactionary elements in the two old parties."

*

Detroit Graft.—On July 26, eight aldermen and the secretary of the common council committee of Detroit were placed under arrest on the charge of accepting bribes for their votes and influence in passing on a measure effecting city property recently transferred to the Wabash Railroad. It is alleged that $3700 passed hands in sums of from $100 to $1000.

The investigation which culminated in the arrests was started in February, when rumors of irregularities in the councilmanic body began to assume serious proportions. Mayor W. B. Thompson sought the assistance of the Burns detective force, and Andrew H. Green, Jr., a prominent manufacturer, agreed to finance the probe. Soon after the investigation was begun the Wabash Railroad applied for the closing of a street on the ground that it wanted to erect a warehouse and to otherwise increase its shipping facilities. The application was opposed in councils for a time. Then suddenly councils granted the application by the vote of several members who had previously opposed the measure. Meanwhile, a member of the Burns force, who had represented himself as a land agent for the Wabash, had entered, according to the charges, into negotiations with the secretary of the common council committees. He attended meetings of the committee on streets, meetings of the whole council, inspections of property concerned. Finally, it was decided, it is alleged, that several who had been opposing the measure would withdraw their opposition for $100 each; others demanding more, delayed action several days. It was then agreed that different sums, if necessary, would be allowed, and the aldermen began to draw their money. Disclosures and arrests followed. R. E. Schreiter, Jr., secretary of the common council committees and also secretary of the American League of Municipalities, plead guilty. Thomas Glinnan, president of the council, and professedly a champion of the people's rights, confessed and with him one other alderman. He had been paid $1000 in marked bills in the detective's office just before the arrest. He took them out, handed them back, sat down and made a complete confession. Other aldermen have made partial confessions. Since then other aldermen, in all eighteen, have been arrested upon additional charges of grafting. Eight of the aldermen involved were renominated at the September primary.

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Minnesota Special Legislative Session Effects Municipalities.—The results of the thirteen day special session of the Minnesota legislature, convened last June by Governor Eberhard, is significant in its accomplishments, and in showing the changing temper of the people of Minnesota in the matter of government and administration. The legislative results are apparently a direct outcome of the militant work of the reform element in the state during the last regular session. In the corrupt practices act, the statewide primary and the

non-partisan election for the three large cities, which passed the special session, three of the five fundamental things the progressives have been fighting for during the last four years were made law.

The non-partisan elections for the three cities of Minneapolis, St. Paul and Duluth, are of special interest. At a non-partisan primary two men are to be named for each office, who are to fight it out at the city elections. This move was initiated by Senator Dwinnell of Minneapolis and was inspired in part by a desire to secure a combined opposition in Minneapolis against the Socialist candidate for mayor at the coming election. He lost out by only 500 votes in the triple contest in 1911 and was generally picked as a sure winner this year. It is now expected that the Socialist tide will be stemmed. Undoubtedly at the regular session of next year, the other essentials that have long been striven for—direct legislation and a state wide civil service act will be enacted.

*

Duluth, Minn.—Has adopted the initiative, referendum and recall, following a vote favorable to municipal ownership of the lighting plant. The city owns the water and gas and has administered that with great satisfaction for fifteen years.

At the city election in February the vote on the municipal electric plant was favorable but an unfriendly council and a mayor of "good fellow" antecedents were elected. A petition was set on foot for a charter amendment for initiative, referendum and recall. As to charter amendments, the law of initiative was already in effect. The signatures came spontaneously, twice the number needed in three days. Twenty-four hours later the unfriendly council adopted a resolution declaring itself for municipal ownership and asking the private company for a price on its plant.

The charter amendments, at a special election, May 7, carried 5331 to 1296. The labor unions, the churches, the organizations resulting from the "men and religion movement," various semi-political and semi-social clubs and naturally the temperance bodies, threw themselves into it. Public meetings in churches was a feature of the short and brisk campaign.

JOHN S. PARDEE.

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The New York Situation.—It is too early to write fully about the extraordinary situation in New York growing out of the murder of Herman Rosenthal on the eve of his intended statement to the district attorney concerning the relation of the police department to the protection of gambling. In connection with the murder a number of arrests have been made and a number of indictments have been found. There has also been instituted an aldermanic investigation to find out the causes for the present situation. In addition to that a citizens' committee has been created to give attention to the general features of the problem. We hope to have an extended item concerning the situation in the January issue.

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Philadelphia Taxpayers Committee Recovers Misspent Funds.—As a result of the suit in equity instituted by the Philadelphia Taxpayers' Committee on City Finances in the fall of 1910, the Filbert Paving and Construction Company has been ordered by the courts to pay back to the city $66,826.44. It developed in the proceedings that while the company proposed under the contract to resurface asphalt streets in areas in excess of 500 square yards in single blocks for 20 cents a square yard, and areas less than 500, 75 cents a square yard, the work was so ordered or arbitrarily measured that the company collected 75 cents per square yard for 95 per cent of the work done.

Oakland Recall Attempt Fails.—Oakland voters refused to recall Mayor Frank K. Mott and Commissioners F. C. Turner and W. J. Backus, whom the Industrial Workers of the World sought to have thrown out of office. The advocates of the recall made the charge that the administration was in league with the underworld and that vice and crime were being protected. A unique feature of the election day was the periodical blowing of all the steam whistles in town to remind the voters of their duty to cast their ballots.

IV. MEETINGS AND ORGANIZATIONS

City Planning Conference.—Following the three successful conferences on city planning held at Washington, Rochester, and Philadelphia, a fourth was held at Boston during the latter part of May, 1912. The great number of existing associations devoted to municipal affairs and perhaps some uncertainty as to the status of city planning in America have led those responsible for these conferences to refrain from trying to establish a formal association. Instead, a general and an executive committee have been entrusted with the arrangements for each succeeding conference. This form of organization was continued for 1912–1913, and Frederick Law Olmsted, of Brookline, Mass., was continued as chairman and Flavel Shurtleff of 19 Congress Street, Boston, as secretary.

The Boston program was notable for its concentration on a few main topics, generally one to a session. This afforded that opportunity for discussion which is so generally lacking at most conventions, with their overloaded programs of diverse subjects. An open or free-for-all session resulted chiefly in desultory discussion, although a preference vote had been taken earlier in the convention on the topics that should be brought up. At this session no one person was expected to speak more than five minutes on any given subject, but it is a rare chairman who will try to enforce such a rule and a rarer audience that will support him in the attempt. The rule was badly broken in this instance.

The first formal session had as its general subject, "The Meaning and Progress of City Planning." Mr. Olmsted gave a general review of the present status of city planning. While nearly all cities exercise a nominal control of the opening of new streets this control is generally little more than what is associated with the services of surveyor, draftsman and clerk for private street openings. The few rules which usually exist do not often extend beyond such matters as minimum street widths. Rarely is there any comprehensive street planning and when there is such it is generally spasmodic. There are a few aggressive street planning bureaus but as a rule they have not grasped the principles of city planning.

In general, there is little or no coöperation with the various city bureaus which have charge of streets, sewers, water works and parks. Spasmodic planning commissions do some good. None of the permanent commissions have yet done much but this is partly because they are so young.

Arnold W. Brunner, of New York City, expressed the belief that the city plan should be the work of several men or of a committee—experts in various lines working together. Prof. George F. Swain, head of the civil engineering department of Harvard University, voiced the same general idea and dwelt at some length on the marked degree in which city planning falls within the province of the engineer, a fact not yet sufficiently recognized by either the engineer or the public.

Under the title, "Paying the Bills for City Improvements," Nelson P. Lewis, chief engineer of the board of estimate and apportionment, New York City, made a strong plea for assessing upon the property benefited the cost of all

improvements that increase land values, instead of putting this cost on the whole body of taxpayers and letting the property benefited pocket the resulting increment of value. He illustrated his points by practice in New York City, where the principle advocated has been in force for a number of years past and has been worked out in its practical scientific application by engineers.

Continuing the same general topic, Mr. James A. Gallivan, street commissioner, Boston, Mass., told how the real estate interests of Boston have shifted an ever-increasing portion of the cost of street improvements from the property immediately benefited and onto the general taxpayer. Mr. Gallivan also discussed excess condemnation, or the acquisition by the city of land adjacent to improvements, with its subsequent resale at a profit to cover the cost of improvements. A specific study of a costly street widening scheme for Boston indicated that excess condemnation would not be practicable, but a study of a smaller scheme indicated the reverse. In the discussion which ensued, the principle of excess condemnation met with general approval.

The next general subject for discussion was "City Planning Studies." J. R. Coolidge, of Boston, read a suggestive paper on "Blighted Districts," or areas where land values are stationary or declining. It should be the duty of the city to diagnose the cause of such blights and apply remedies for their removal. Remedies suggested were a lowering of taxes and the making of improvements. If, for instance, the blight is due to an elevated railway a parallel street may be improved. Lawson Purdy, of New York City, in discussing the paper said that declining values are the fault of the city, and cited property in lower New York, west of Broadway, as an instance of decline due to a lack of city planning—in this case a failure to provide sufficient facilities for north and south traffic.

A series of addresses on "The Public Street Systems of the Cities and Towns about Boston in Relation to Private Street Schemes" was opened by Arthur A. Shurtleff, of Boston. Lantern-slides were used to show how nearly the Boston metropolitan district comes to having a complete radial street system and how easily, as far as physical conditions are concerned, it might have a system of circumferential streets. The radial street system came into existence, not from systematic coöperative planning but because all the outlying towns wished roads into Boston. The elements of a circumferential system, consisting of isolated arcs of circles, have never been joined because (1) most of the traffic is Boston-ward or radial rather than from town to town circumferentially, and (2) because circumferential movement not being imperative owners of private property have been allowed to develop their land as they chose or to hold it from development, and there has been neither public nor private cooperation for circumferential highways. The city engineers of several cities adjoining or near Boston reinforced Mr. Shurtleff's remarks with specific local examples showing how real estate owners have blocked through street connections.

The final paper on the program was entitled "The Control of the Zone System by German Cities and its Application in the United States," by B. Antrim Haldeman, assistant engineer, bureau of surveys, Philadelphia. The origin, object and application of the zone or district system in Germany was described. The growing need for such a system in the United States and the obstacles in its way were discussed. The author expressed the belief that with the changing state of public opinion regarding the sanctity of "vested rights" as against the rights of society at large it is reasonable to expect that the zone or district system may yet be introduced in the United States. By this means housing conditions would be improved, transportation problems simplified, and the invasion of residence districts by manufacturing plants, for no other reason than

the self interest of the manufacturer, would be prevented.

M. N. Baker.

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The American Water Works Association, which held its thirty-second annual convention at Louisville, Ky., June 3 to 8, 1912, has a membership of nearly a thousand, including the associate members, or manufacturers of and dealers in water works supplies. The active membership consists chiefly of superintendents and managers of water works. Members of water boards and other officials are also included. Civil and sanitary engineers, chemists and bacteriologists, both connected with water works and in private practice, make up a small, but fair percentage of the membership and probably contribute half or more of the papers, committee reports and discussions.

At Louisville the program included some fifteen committee reports, twenty papers and a long list of subjects for informal discussion which had been submitted by members or made up by the secretary in advance of the meeting, printed and mailed to members, under the general title Question Box. In addition, the program included visits to the filtration and pumping plants of the Louisville water works.

Prominent among the committees of the association are three on water works standards, one on depreciation and one on uniform accounts and reports. The latter committee, in conjunction with other associations and working jointly with the U. S. Census Bureau, has devised a detailed scheme of uniform water works accounts, which was adopted by the association this year.

The papers presented included a number on water purification, several on the detection and prevention of water waste, one on the organization of the water department of New York City, one on purchasing water works supplies and one on the broad general subject of efficient management.

The question box topics which elicited the most discussion were depreciation and water stealing. The importance of making water rates high enough to provide an ample depreciation fund was emphasized and it was urged that this should be done by municipal as well as private plants. Municipally-owned plants generally make no allowance for depreciation and when they do charge off depreciation it is generally only a bookkeeping entry, involving no actual funds. One of the speakers aptly remarked that "writing depreciation on a piece of paper and waving the paper in the air" is not providing for depreciation.

The discussion on water stealing arose, as it does at every water works convention, when the question of charging for water supplied to private fire connections for sprinkler service in mills and factories came up. The manufacturers and the fire insurance interests make strenuous demands for free private fire service — from municipally-owned water works. A huge volume of experience shows beyond dispute that where these fire services are not metered and the water paid for, the water is used surreptitiously for manufacturing purposes, often to the value of thousands of dollars a year from each fire service. The consensus of opinion among water works officials is that the only way to prevent this stealing is to charge for all water used. If the water is used for fire protection only, the amount to be paid will be small.

The next meeting of the association will be at Minneapolis in 1913. Dow R. Gwinn, of Terre Haute, Ind., was elected president of the association for the ensuing year, and John M. Diven, 47 State Street, Troy, N. Y., was reëlected as secretary and treasurer.

M. N. Baker.

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The American Institute of Criminal Law and Criminology, held three days' sessions in Milwaukee, August 29–31, giving careful attention to advanced

ideas in the various branches of penology. The opening address of the president, Chief Justice Winslow, of the Wisconsin supreme court, gave the keynote to the whole. Among the principles which he declared necessary for proper treatment of the criminal code were these: It should be simple and easily understood; should provide for prosecution of crimes by information, leaving indictment by grand jury, if at all, optional with the trial court; trial court to have plenary power to amend indictments, informations, etc.; power to trial court to discriminate between confirmed criminals and those who give hope of reform; segregation of confirmed criminals; suspension of sentence, probation, and parole for first offenders; medical and psychological examination of the young and psychological examination of youthful offenders where deemed proper; juvenile courts; segregation "or some other efficient means" to prevent degenerates and imbeciles from returning to society; indeterminate sentences; provision for rehabilitation of character; limitation of right of appeal except in capital cases; judgments not to be set aside for errors except such as cause a miscarriage of justice.

These reforms, to be applicable in particular cases, were such as he believed necessary to place criminal law upon a more satisfactory plane. Substantially these were the propositions discussed more fully by writers and speakers and they were very generally seen to be the sense of the best thinkers in the organization.

A feature of the sessions that won many expressions of approval was an address by Judge A. C. Backus, of the Milwaukee municipal court, narrating his experience in placing first offenders and, at times, others, on probation. According to the system prevailing in Milwaukee, probation is within the discretion of the court, and at times persons on probation had even been permitted to leave the state, continuing to report. The court is aided in this matter by regularly appointed probation officers. Judge Backus was able to say that 97 per cent of the cases he had thus put out on probation had turned out well, and he read several letters from probationers that bore him out in this statement and that drew tears from the eyes of many in the audience.

FREDERIC COOK MOREHOUSE.

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American Civic Association. — The eighth annual convention will be held at Baltimore, Maryland, November 19 to 22, with headquarters at the Hotel Belvedere. The Association goes to Baltimore this year on the invitation of the Woman's Civic League and other allied civic bodies of Maryland. The program now in preparation will be distinctive, as have been the programs of the American Civic Association since its organization. The several activities of the association will be treated in special sessions, with particular attention to city planning, national and state parks, street illumination, the smoke and billboard nuisances, and the house fly. In the city planning sessions it is proposed at this convention to direct the principal addresses and discussion towards the solution of the problems that confront the small city and town, rather than the large centers. This will be in response to a growing desire for information which comes to the association from the smaller class of city. An important session which was given its first test, very sucessfully at Washington a year ago, known as the "Experience Meeting," will be repeated at the Baltimore Convention, at which there will be a series of five-minute talks full of suggestion for effective "community improvement" by men and women who have had a part in "things that have happened" of special note during the past year. J. Horace McFarland, Harrisburg, Pennsylvania, is president and Richard B. Watrous, Union Trust Building, Washington, D. C., is secretary.

Addresses of Dr. L. G. Powers.—Among the National Municipal League workers in the east who attended the convention in Los Angeles was Dr. L. G. Powers, chief statistician of the bureau of the census, Washington, D. C. In addition to attending the convention and reading his paper on "Accounting for Revenue," Dr. Powers gave considerable attention while on the Pacific Coast to a study of municipal conditions in California, Washington and Oregon. During his visit he was in great demand as a speaker before local clubs interested in municipal affairs, but was unable to stay long enough on the coast to accept all the invitations that were extended to him. He, however, spoke before the Sierra Madre Club, of Los Angeles, the Commonwealth Club, of San Francisco, the Municipal League of Seattle, Taxpayers' Association of Seattle, and the Commercial Club of Tacoma, as well as the Commercial Club of Minneapolis.

In all his addresses Dr. Powers spoke in a vein of optimism concerning the cities as the future home of a growing democracy. He called attention to the fact that in the past hundred years of our governmental history great progress has been made in securing honesty in the administration of finances, and that the losses by defalcation and kindred causes, which were quite considerable in the early days of the government, have been reduced with the passage of time until they are now only a small fraction of 1 per cent. Governments, he pointed out, whether national, state, or municipal, are now engaged upon a different problem from that which was a principal one in the administrations of the past. We are engaged in securing economy and efficiency in administration. At the present time the wastes from inefficient administration are vastly greater than those from dishonesty, and how to lessen this waste and loss is a great and pressing problem. In the solution of this problem the adoption of good systems of accounting including the uniform system for which the National Municipal League has become the proponent, came in for considerable attention. The uses of good accounts in securing efficiency and economy of administration were pointed out with a great many illustrations.

In a number of these talks, especially that in San Francisco, Dr. Powers called attention to the relation of municipal debt to the possibilities of future city development. He especially called attention to the fact that San Francisco before the earthquake and fire had no debt, and by reason of that fact was able to re-establish itself as a great commercial center, fully equipped as a city for doing business, without any material delay and without any financial embarrassment. This rapid rise of San Francisco could not have taken place had the city been burdened with the average amount of debt of other cities of the country of the same size. With this and many other illustrations the Doctor emphasized the desirability of cities' limiting the amount of their indebtedness as much as possible, and throwing as few burdens upon the future as is consistent with good city government at the present time.

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Pennsylvania League of Third Class Cities in Convention.—The thirteenth annual convention of the League of Third Class Cities of Pennsylvania met in Wilkesbarre, August 27, 28 and 29. The one hundred and fifty delegates entered into the discussions of the sessions, dealing with the present form of municipal government of third class cities, municipal legislation needed in the state, the extension of the police power of third class cities, and the elimination of grade crossings. The most important subject, however, that came up for discussion before the convention was the question of the proposed change to a commission form of government. City Solicitor D. S. Seitz, of Harrisburg, made a strong plea in favor of the present form of government under which cities of the third class of the state are operating. This

form, adopted thirty-seven years ago, is based on the bicameral council plan, executive work being carried out by a mayor and heads of departments. F. H. Belin, president of Scranton councils, a second class city of the state, won hearty applause by his address on "Scranton's Experience with the Commission Form of Government." Although taking this title for the subject of his address, Mr. Belin explained:

Scranton's experience with the commission form of government is misleading, for we are not living under such a form. The impression is widespread throughout the state of Pennsylvania that the last legislature gave to Pittsburgh and Scranton, the two cities of the second class, a government by commission. We not only did not get it, but we did not even ask for it. Our city's government today is really only a modification of our old government, the difference being: First, there is one body of five councilmen, instead of two bodies of sixty-two; second, these councilmen are elected at large, instead of from twenty-two wards of the city; third, the councilmen are paid a salary of $2000 each per annum, instead of serving gratis; fourth, heads of departments, after due notice and hearing, may be removed by resolution of council. These differences do not constitute a commission form of government as you can readily see, but they have certainly brought about a great improvement in the legislative end of our city's business.

After a lengthy discussion of the subject, the delegates decided in favor of the single councilmanic body. The League elected for the ensuing year Mayor W. J. Stern, of Erie, president; and Frederick H. Gates, secretary.

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Indiana Municipal League Convention.—At the twenty-second annual convention of the Municipal League of Indiana convened in Hartford City, July 9, for a three days' session, the chief attention of the delegates was given to "The Building of a City," "How Should School Trustees be Elected and What Power Should They Have," "The Lighting of a City," and "Industrial Education."

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The Wisconsin League of Municipalities met at Wausau, July 23 to 24, in its fourteenth annual convention. F. R. Crumpton of Superior was elected president, and Ford F. MacGregor of Madison was reëlected secretary.

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Michigan.—At the recent meeting of the Michigan League of Municipalities the recommendation was made that a state bureau of information to supply information on municipal topics should be established.

V. ACADEMIC AND EDUCATIONAL

New York City Permanent Municipal Museum.—Several months ago the authorities appropriated $60,000 for remodelling the old building of the College of the City of New York, at the corner of 23d Street and Lexington Avenue, with the understanding that the trustees of the college would set aside space for a permanent municipal budget exhibit. Drawing inspiration from the possibilities of such a practical laboratory of municipal administrative work, the college planned to modify, develop and systematize its present courses in municipal chemistry, municipal sanitation, school management and administration, political science, politics and sociology until New York should have a school fitted to prepare citizens for capable service to the city in the various departments. The enthusiasm aroused by the movement is manifested by the chamber of commerce, which has decided to father a proposal to raise $500,000 to build a seven-story building, provided the city will develop and carry out a series of carefully devised courses to fit young men for the higher and more specialized positions of the municipal world.

National Municipal League High School Prizes.—Through the generosity of Mrs. Charles Richardson, wife of one of the vice-presidents of the League, the National Municipal League was able to establish in 1910 a prize for the best essay by a high school student upon a municipal subject. In the first competition, the subject of which was "The Municipal Problem in America," fifty-two essays were submitted; the first prize was awarded to Miss Lois Cleveland Gould of Sioux City, and the second to Gilbert V. Seldes, of the Boys Central High School of Philadelphia. By the generous coöperation of prominent women identified with the work of the League, the prizes were continued for the years 1911 and 1912. Eighty-nine essays were submitted for the second of the series on the "Immigrants in my City" in 1911. The first prize was awarded to Philip Wager Lowry, of Erie, Pa., and the second to Miss Flora Harrington, of Kansas City. Eighty-one essays were submitted in 1912 on "Street Cleaning in my City." The first prize was awarded to Miss Louise N. Lambert, of Baltimore, and the second to Miss Dorothy Aukerman of Altoona, Pa.

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Chicago School Children Show Interest in City Planning.—Managing Director Moody of the Chicago plan commission, aroused great interest among the high school students of the city by a series of lectures on the plans of the commission for the development of the city. One of the high schools uniquely devoted its graduation day to city planning, entering into a discussion of "Early Chicago," "Why Chicago is Planless," "A Plan for Chicago," "The Transportation Problem of Chicago," "A Civic Center for Chicago" and other phases of the subject, and showed that the children had studied the city plan carefully and had laid foundations for the future.

Rochester City Plan.—In December, 1911, the Rochester civic improvement committee, of which James G. Cutler is chairman and Charles Mulford Robinson, secretary, appropriated $210 for a series of prizes to be offered through the chamber of commerce to the boys and girls of the high schools for the best essay on "A City Plan for Rochester." Between two and three thousand essays were written and the committee felt justified in assuming that a very widespread public interest in city planning had been created.

In June, 1912, the committee, following much preliminary agitation and discussion, introduced ordinances into the council for the creation of a new thoroughfare which should parallel Main Street and lead to a large tract to be acquired for a civic center. The new street will cost not less than $2,000,000. The administration is now making itself responsible for the project.

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The Chattanooga Municipal Record is a carefully printed, well illustrated account of municipal affairs in that enterprising city. It is in its second volume.

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The Civic Courier, of the Baltimore Women's League, is a well of civic inspiration, and is evidence of the work which the League is doing to promote civic affairs in Baltimore. It seems especially aggressive at the present time toward eliminating the smoke nuisance, improper refuse disposal, impure milk, dirty streets and is busy encouraging home gardening among the poorer citizens having neglected backyards.

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Louise Klein Miller has become a potent force in welfare work in Cleveland. Beginning her efforts in a "garden club" in one of the most congested and

immoral downtown districts of the city, her work has expanded into the Home Gardening Association and the Department of School Gardening, which report that last year 30,000 "home gardens" were established by the assistance of the Association and the Department, which, put in another way, means that 30,000 backyards were cleaned up and made places of cleanliness and brightness.

VI. JUDICIAL DECISIONS

Validity of Municipal Regulations.— In the exercise of a statutory power to license, regulate, and restrain places of amusement, a municipal ordinance prohibited moving picture shows within certain limits. The ordinance was enforced against a show which had been operating within the district, under license from the city granted prior to the passage of the ordinance (*Dreyfus v. Montgomery* (Ga.), 58 So. Rep. 730). The court remarks that the proprietor had devoted his property to a use in which the public had an interest, thereby granting the public an interest in that use and he must therefore submit to be controlled in that use by the public through its duly constituted authorities for the common good. It is further held, necessarily, that the license was only a revocable privilege and contained no element of a contract. On this point different facts, e.g., that the license was granted for a definite period, might easily give rise to a different rule.

Those who have begun to feel that pretty much everything that had been done at the time our constitutions were adopted had become a vested right in perpetuity, may take heart of grace from the experience of Tacoma, Washington, which has legislated successfully (as far as constitutional objections are concerned) against the practice of treating in saloons. The objection was duly and solemnly made by eminent counsel that the sacred rights of a free people were invaded by the by-law, that the thirsty and friendly citizen who could not set 'em up, but under pain of fine and durance, was deprived of property without due process of law and denied the equal protection of the laws guaranteed him by the reliable and ever present fourteenth amendment to the Federal Constitution, and that the power of the city to regulate the selling of liquor did not extend to any such grim and inhospitable restriction. The court gave due and serious consideration to these objections and over-ruled them all (*Tacoma v. Keisel*, 124 Pac. 137).

The irrepressible conflict between the welfare of the one and the many finds its examples abroad as well as at home. A quaintly reported case before the master of the rolls and the lords justices (*Holden v. Dalton-in-Furness Urban District Council*, May 3, 1912), relates the unhapply case of a small farmer near to whose farm the district council had made a "tip" (U. S.: garbage dump) where they brought fifty tons or so a month. "At first they kindly sent on to this farm pieces of oil cloth, which the cows ate. That was complained of and moderate compensation made. Then they thought to cure the blowing of this stuff on to the farm by burning it, and they favored their neighbors by burning fires, three heaps a day." There is no evidence that the farmer complained of any personal inconvenience but three horses died, he alleged, from eating hay made poisonous by soot and dust from the fires. The vice-chancellor gave the farmer damages but the court reversed the judgment, largely on the ground that the plaintiff had failed, by resort to chemical analysis or otherwise, to show that the contamination to the hay came from the burning refuse or that the "black mud" found by a veterinary in the animals' stomachs was from a like source. One of the judges expressed his sympathy with the farmer

but another sagely remarked that some sympathy ought to be extended to a district council which had to get rid of all that house refuse without doing injury to their neighbors. If they had no way but to pile it up and burn it in the open they certainly need sympathy, and the neighbors too! The great weight the court gives to the failure of the plaintiff to present exact chemical or bacteriological evidence of the substances which had spoiled the hay is also worthy of note.

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Charters.—In *State ex rel. v. Mankato*, 136 N. W. Rep. 264, the supreme court of Minnesota holds the statute of that state authorizing cities and villages to adopt the commission form of city government to be valid. It was contended to the contrary that the provision of the constitution requiring home rule charters to provide for "a mayor or chief magistrate and a legislative body of either one or two houses" meant an executive official clothed with executive power only, and that the reference to a legislative body meant a body of officials endowed with legislative powers only, and that a charter which gave the legislative body both executive and legislative powers and included the chief magistrate of the city in its membership was contrary to this provision. The court, referring to familiar principles of constitutional construction, forcibly says that the question is not whether the people in adopting the state constitution had in mind any such city charter as that under consideration and were endeavoring to make anticipatory provisions for it, but whether, having in mind the possibility of some future attempt thus to intermingle the functions of the executive and legislative departments of municipal government they were attempting in advance to frustrate any such attempt. They point out that the history of legislation on the matter in the state indicates the contrary, the mayor having in many legislative charters been made a member of the council. They might well enough have gone further and shown that a legislative power, namely, the veto, is given to practically all chief executives in city or state as well as in the nation at large, and that every legislative body, certainly every city council, exercises some powers, such as those of appointment, of expenditure, of administrative detail, which in any scientific analysis are executive.

The relator urged further that article 3 of the constitution providing that the powers of government should be divided into three distinct classes, executive, legislative, and judicial, and that no person belonging to one of these departments shall exercise any of the powers belonging to another, prohibited the adoption of the commission form. This provision the court holds applies only to the higher governmental authorities and not to municipalities. The decision is in accord with a considerable number of others which have considered like objections made under other state constitutions.

In *Gallup v. City of Saginaw*, 135 N. W. Rep. 1060, the supreme court of Michigan affirms previous decisions holding that under the new system for enacting municipal charters provided in the recent constitutional amendments, a general revision must precede any piecemeal amendment of a city charter and that laws providing for the latter method are unconstitutional. The court further holds that the act applies to cities previously incorporated, against the rather recondite objection that such cities could not repeal their own charters, the legislature having still reserved to itself the power of incorporation, as distinguished from the power merely to make or propose a new charter. The view taken by the court gives the act a reasonable effect and operation while the construction contended for would have practically nullified it. The Michigan system appears to be a fruitful source of litigation, but all changes from the usual order have to be submitted to the Paul-

ine rule, "Prove all things, hold fast that which is good."

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Duration of Municipal Franchises.—In *Salina Water Works v. Salina*, 195 Fed. Rep. 142, an ordinance granting to a waterworks company a franchise to supply the city with water for a period of twenty years, and containing further provisions by which the city reserved to itself the right to purchase and take over the plant at the end of twenty years, and extending the franchise for another twenty years if it did not do so, was held good against the objection that the extension provided for in the latter clauses was void as opposed to the terms of the grant and the city was held bound by the agreement during the second twenty year period, subject to the right of the city to take over the plant at any time.

A much more important, and from the standpoint of the public much more unfortunate decision on the duration of public service franchises, was rendered by the supreme court of the United States in *Louisville v. Cumberland Telephone Company*, 32 S. C. Rep. 572. In that case it appeared that in 1886 the legislature of Kentucky had chartered a telephone company, fixing no limit to its corporate existence and empowering it among other things to construct, equip, and maintain telephone systems and exchanges and operate its lines on any street or alley in the city of Louisville with the consent of the general council of that city. The council, by ordinance reciting the charter, ratified it and granted to the company the right to maintain its system in the city on substantially the same terms. Subsequently the rights of the original holder of the franchise passed to the plaintiff in the case. In 1909, a controversy having arisen between the city and the latter company concerning rates and service, the city repealed the ordinance under which the original company had constructed and maintained its system. The court, by Mr. Justice Lamar, holds that the franchise granted by the state without limit of time was perpetual, that the right reserved to the city to grant its assent did not authorize a withdrawal of the assent once given, and that injunction against the enforcement of the ordinance was properly granted.

Many students of this matter had hoped that in the development of the law to make it "correspond" (as Mr. Justice Holmes says it does) "on the whole with what is thought convenient," indeterminate franchises might ultimately be held either terminable at the will of the sovereignty, or beyond its power to give, and not, as the court here declares, a grant in fee. A grant by the legislature is obviously not as amenable to such a limitation as one by the municipality.

But there remains to the public the power of regulation, which is capable, in wise and just hands, of affording in most cases necessary relief from mismanagement of public service. And at any rate we can be the more cautious to limit the duration of any grants in the as yet unwasted future.

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Minimum Wage on City Work.—In the case of *Mallette v. Spokane*, 123 Pac. Rep. 1003, the supreme court of Washington considered the right of the city to fix a minimum wage, unreasonably higher than the going wage, for work done under a special assessment. The ordinance in question provided that no common laborer doing work for the city of Spokane, or for any contractor with the city, should receive less than $3 per day of eight hours. A contractor improved a street which was paid for by assessment upon the property benefited, paying for his labor as required by the ordinance, when it appeared that the going wages for labor of that character were from $1.85 to $2.25 per day of ten hours. One of the property owners objected and the court held the ordinance void, on the ground that the city, acting

as agent of the property owner, could not compel him to pay a price greatly in excess of the reasonable cost, for the benefit of other individuals, the duty of the municipality being to secure for the property owners the best price obtainable under free competition. The court expressly re-affirms the decisions (especially *Atkin v. Kansas*, 191 U. S. 207, 24 Sup. Ct. Rep. 124) upholding the right of the state or municipality to limit the number of hours which shall constitute a day's work on public improvements. It is also careful to declare that it does not pass upon the power of the legislature to prescribe a policy which would compel the payment of an arbitrary wage in excess of the market price of labor, but merely holds that a city council, in the absence of any such public policy prescribed by law, cannot compel the property owner to pay more for work which is required to be let by free competition than the reasonable cost of private work done in the same way. The power of the city to fix a minimum wage as low as the going wages is not affected by the decision.

Economists agree with the court in holding that payment of wages to laborers on public work materially higher than what workers of the like class can obtain elsewhere is unsound in principle and vicious in consequences. Establishment of a minimum wage is another and much larger question.

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Liability of Cities for Delay.—An interesting and important doctrine of municipal corporation law was applied in *J. W. Turner Imp. Co. v. Des Moines* (Supreme Court of Iowa), 136 N. W. Rep. 656.

It is commonly provided in city charters that the contractor who does street improvement shall look only to the fund created by local assessment for his pay. It is the duty of the city to levy the assessment, but nothing is more common than a failure of exact compliance with the letter of the law in some of the particulars which the courts are wont to hold essential to the creation of a lien on the taxpayer's property. In such a case there is no fund created for the contractor to look to, and his right to recover under the contract fails entirely. But here the courts, by one of the bold strokes of reason and justice which are the glory of the common law—when they happen—impose upon the city an obligation not found in the contract, seemingly contradicted by it in fact, but inferred from the duty of making the assessment, and require it to pay the contractor the amount due him on failure to perform the duty of levying a valid assessment. The leading case on the point is perhaps an Oregon decision, *Commercial National Bank v. Portland*, 24 Or. 188; 33 Pac. Rep. 532, although a New York case, 112 N. Y. 42, is earlier. The decision noted here adds to the obligation of the city that of paying interest on the assessements in case of unreasonable and negligent delay in levying them. The possible development of this doctrine might be of the first importance in the nearly lost art of making legal rules subserve the purpose of increasing public and private efficiency and responsibility.

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Delegation of Powers.—An attempt to delegate to the mayor the power to fix the amount of the license exacted of a circus, which power was conferred upon the mayor and council, was held void in *Cannon v. Mayor* (Ga.), 74 S. E. Rep. 701. The power to fix the amount of a license fee is held to be tantamount to the power to tax, and to be "nondelegable."

Richard W. Montague.[1]

[1] Of the Portland (Ore.) Bar.

VII. SOCIAL AND MISCELLANEOUS

The New York Committee of Fourteen.—The New York Committee of Fourteen, organized in 1905 and incorporated in 1907, is an association of private citizens for the purpose of investigating the operation of the excise law, particularly in Manhattan and the Bronx, suggesting improvements in the law, and increasing the efficiency of its administration. On the basis of its investigations, a large number of the worst dives and resorts have been closed and a far stricter enforcement of the law has been obtained in the granting of licenses to objectionable places. The work of the committee is endorsed by the surety companies which write excise bonds and the brewers of the city associated in the Brewers' Board of Trade.

A new situation was created in 1911 by the victory of the Democratic party in the election of the preceding year. The New York excise law, passed in 1896, removed the licensing authority from local officers and created a state department. This law was passed by the Republican party and the excise department was constantly in the control of that party until April, 1911, when, on the expiration of the five-year term of the commissioner, Governor Dix appointed Mr. Farley, a young up-state lawyer, to the office. Although Commissioner Farley was understood to have been in good standing with Charles F. Murphy, of Tammany Hall, he at once impressed all persons interested in the excise law with the sincerity of his expressed desire to conduct his department efficiently. However, legitimate patronage troubles came upon him thick and fast. He found in his department a number of "political," as well as military, veterans who were being taken care of in the service of the state; and he was at once besieged by a horde of hungry office seekers. It is commonly understood that Republican politicians did everything they possibly could to hamper Mr. Farley in the difficult work which he had undertaken.

In 1911 the Democrats also controlled the legislature for the first time since 1894. In all the intervening years Democratic leaders had been making promises to the saloon keepers. With the opening of the session, there was a flood of bills to remove practically all the penalties for Sunday sales and other minor offenses from the law. The principles of the law were not touched but the teeth were all to be pulled from the penalties. Some of these penalties sound drastic if considered by themselves, but when considered as part of the whole law, they are not too severe. No one is vested with discretionary power to grant or refuse a license. An application "correct upon its face" must be granted and then after the man is given possession and has the famous nine points of the law, the department may move against him for a material false statement or upon evidence of violations. Surely if then proved an improper licensee, the penalties should be severe. Likewise the law intended that the licensee should be a man of some financial standing but through competition between the breweries, it has come to pass that it requires but little more cash to open a saloon than to stock a push-cart. Fortunately that day is passing, for a license has come to have some value through the adoption in 1910 of a limitation of certificates to a ratio of 1 to 750 of the population. In Manhattan the ratio was 1 to 460 at the time of passage. A certificate is now worth $600 in Manhattan, $1200 in Brooklyn and $1800 in the Bronx.

But these numerous bills introduced by the friends of the retail liquor dealers either did not get out of committee or died on the long route to enacted laws. The amendments passed dealt chiefly with details in connection with the limitation provisions as would be natural in a year after the adoption of such an important principle. Governor Dix signed one bill which Governor Hughes twice vetoed, a bill designed "to pro-

tect the saloon from a church or a school."

The Committee of Fourteen reports a most successful year for 1911. Never before have there been so many important criminal cases against disorderly resorts and so high a percentage of convictions with such heavy sentences. Of the seven cases in which indictments were found by the "Rockefeller Grand Jury," there were five convictions before petit juries, one acquittal and one defendant pleaded guilty after turning state's evidence. All got sentences which were heavy for disorderly house cases, six months or a year and $500. The committee was also successful in indicting the proprietors of two of the most active disorderly hotels in the Tenderloin but to the great disappointment of the committee, by a series of unfortunate happenings, the men who directly profited from vice, escaped with light penalties after pleading guilty before Judge McCall.

As for the coöperation of the committee with the brewers, a most interesting situation developed. It was unable to meet their wishes in an important particular and as a result they felt unable to coöperate as a committee of their board of trade. The surety company officials who knew more intimately the situation, promised coöperation and their assistance is inducing the brewers to do individually what their committee had declined to do. The result far exceeded the expectations of the committee, being in many respects better than in any preceding year. Every brewer but one coöperated and even that case was managed indirectly. The same is also true of Brooklyn to which borough the work of the committee was extended. It has more so-called probationary cases and has more promises guaranteed in writing by the brewers than ever before.

Of the general excise situation (Sunday selling) there seems little complaint. The saloons are all open and selling in the rear room on Sunday. The mayor talks about there being hotels but there are only 700 hotels all told and 4500 saloons. Apparently the police are not getting any graft from the saloon keepers except here and there where from force of custom the proprietor wants to pay to feel that he is protected but he does not have to do so.

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St. Louis Vice Commission.—A joint committee on public morals has been organized in St. Louis to formulate a constructive policy in relation to social evils and public morals. It will be conducted along lines similar to the Chicago vice commission and is representative of a long list of prominent organizations. The chairman is the Rev. Dr. M. H. Lichliter, a Methodist clergyman. The vice-chairman is Anthony Matre, national secretary of the Federation of Roman Catholic Societies.

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Chicago's Bureau of Information and Publicity.—On January 22 of the present year the city council of Chicago passed an ordinance establishing a bureau of information and publicity in the executive department of the municipal government. It provides for an official staff embracing a "commissioner of information and publicity, a chief statistician and such investigators, assistants and employees as may be provided by ordinance of the city council."

The purpose of the new bureau is to provide, arrange and render available, chiefly for the use of the members of the city council, information, public reports and data bearing upon the legislative projects before them. While much has been expected of the city council in Chicago and elsewhere, comparatively little has been done to make possible intelligent legislation. Our local bureau of statistics has done considerable work of this character, but it has not been adequately equipped for the duties imposed upon it. It will, however, serve as a valuable nucleus for the new bureau.

Under the terms of the ordinance it will be the duty of the bureau to secure such laws and ordinances of other cities or states as bear upon the questions before the city council and analyze, index and prepare this material so that it may be readily available. It will also collect and analyze the judicial interpretation of such laws so that their application by the courts can be thoroughly understood, and investigate and gather all available information and data regarding any matter which is the subject of proposed litigation by Chicago. In addition, there will be compiled all obtainable data regarding the practical operation of legislative and administrative policies in other cities. It has been said that every ordinance or law is an experiment in social policy, and it means little to know that either has been enacted or to know how it has been interpreted, unless we also know how it has operated. For this purpose it will be within the province of the new bureau to "accumulate all public data possible in relation to the practical operation and effect of any such laws," and to make available for the use of the council committees or the council as a body, the carefully collected and sifted reports of official bodies, books, magazines, pamphlets, newspaper clippings and other sources of municipal information, and when, as frequently happens, all these agencies fail or prove unsatisfactory, supplement the same by correspondence with experts or others in a position to judge of the merits of the particular institution or ordinance under investigation.

A further function provided for in the ordinance will be the gathering of material of a local character bearing on our local questions, and of collecting, compiling and publishing information relating to all branches of the municipal government. All reports printed or published by the city of Chicago, or any of its departments or bureaus shall be kept on file and preserved as well as statistics and information concerning public service corporations operating under grants from the city or other municipalities, including the ordinances and statutes under which such public service corporations operate. The salary of the commissioner of information and publicity is fixed at the sum of $5000 per annum.

Thanks to the vigorous and hearty coöperation of the members of the city council and especially of Mayor Harrison the new bureau was saved from the malign influence of the spoilsman and all positions from that of commissioner down, have been placed under the merit system and will be filled in accordance with the tests prescribed by the civil service law.

Assurance is thus given that the bureau will, in consequence, become a splendid scientific laboratory of facts and information, whose employees will be skilled workmen and presumably men best fitted for the work required.

FREDERIC REX.[1]

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The Newport Survey.—During the month of July of last year the Civic League of Newport, Rhode Island, found its municipal system of street cleaning and garbage removal so inadequate as to warrant an investigation. The Rhode Island Bureau of Social Research was therefore engaged to make a thorough inquiry into existing conditions. The immediate improvements which resulted from this investigation, especially with regard to the garbage removal and disposal led to the consideration of other problems and the same bureau was engaged by a committee representing six different welfare agencies to make a survey of the city. The problems of unemployment, health, coöperation of charities, education and particularly the problems of prostitution, gambling and the liquor traffic were to be considered in the body of the survey. In the course of the investigation, which lasted over

[1] Assistant City Statistician.

five months, a large amount of material has been accumulated which is being used in connection with various improvements and changes that are being proposed by the investigating committee with the advice and assistance of Dr. Carol Aronovici, the director of the bureau. The most concrete change that has so far taken place in the city, as a result of the survey, has been along the lines of improving the moral tone of the community. In accomplishing the task the governor of the state took action over the heads of the local authorities, as the latter proved not only incapable to cope with the situation, but displayed a tolerance which was the object of widespread criticism among Newport residents. So far the gambling houses, the liquor traffic and the houses of prostitution have been placed under control. The bureau has also been engaged for the next year to act as a vigilance agency and report conditions to the committee and to the local authorities whenever necessary.

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Philadelphia Municipal Coöperative Stores.—The plan of Director Cooke of the department of public works of Philadelphia to establish municipal coöperative stores appears to have the support of the municipal employees and to be working toward a realization of the scheme. Tentative plans call for the location of municipal stores in different sections of the city within easy access of a large number of employees. Special buyers for the establishments will be charged with the duty of seeking in the open market for the best foodstuffs and provisions at the lowest cost. Just how the municipal stores are to be financed has not been decided. One suggestion provides that the employees subscribe for stock which will be redeemed as soon as the enterprise has been developed far enough to do so. Coöperative stores managed on this basis have proved successful in Europe.

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Chicago Street Signs.—The Chicago Association of Commerce believes that it has solved the problem of street signs. For residential districts it recommends a two-way blue enamel sign consisting of name plates 5 inches by 24 inches, with 4 inch letters, five coats of enamel, name plates mounted on heavy malleable iron protected by asphaltum paint, sign plates held in heavy copper frame protecting all edges of sign, and heavy cast iron base 30 inches high with stem of 2-inch gas pipe 6 feet in height, the whole protected by asphaltum paint. For business districts, it sanctions the signs in use in London, which consist of a white opalized glass plate ½ inch thick and 6 by 30 inches in size mounted in a frame work of heavy zinc and having a backing of one-eighth of an inch in Portland cement concrete. The letters are from 4 to 4½ inches in size, sand blasted into the plate and permanently vitrified by black enamel into the white glass. It is said that the latter can be read at 250 feet in a snowstorm.

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The People's Institute has just announced the organization of a municipal efficiency and reference bureau, under the direction of Dr. Frederic C. Howe, John Collier and Dr. Carol Aronovici.

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Eight Cities Want the 1913 Meeting of the National Municipal League: Minneapolis, Washington, Toronto, Indianapolis, St. Paul, Des Moines, Richmond, Ind., and New Haven, Conn. San Francisco and Oakland have sent in invitations for 1915.

PERSONALIA

Joseph L. Hudson, a member of the council of the National Municipal League since 1906, died at Worthing, near London, England, on July 5. Mr. Hudson was Detroit's leading merchant and a most versatile business man. He was easily the first philanthropist of the city and one of the most active civic workers. He was for years the president of the Municipal League, resigning only last spring. He was identified with all sorts and conditions of movements and was a liberal contributor to every forward effort in his city, state and nation. He was a quiet and modest attendant at the recent meetings of the League and at the meetings of the council. His death is a loss we shall long feel.

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Frederick L. Ford, formerly city engineer of Hartford, Conn., has been elected city engineer of New Haven.

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Dr. William Bennett Munro has been made professor of municipal government in Harvard University.

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Howard Strong, by a slip of the pen, was spoken of in our July issue as being secretary of the Cleveland Civic and Commerce Association, whereas he is the secretary of the Minneapolis body of that name. He was assistant secretary of the Cleveland chamber of which Munson Havens continues as secretary.

Chicago to Honor Burnham.—The suggestion to have all Chicago pay tribute of honor to Daniel H. Burnham, the distinguished municipal architect, by giving his name to the proposed lake front park, which was offered by Chairman Charles H. Wacker of the Chicago plan commission has been received with widespread enthusiasm.

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Carlton E. Davis, department engineer of the New York board of water supply, was appointed July 24 by Director Cooke of the Philadelphia department of public works as chief of the bureau of water at a salary of $7500. His experience and responsibilities in connection with the building of the great reservoir on Orange Mountain as an addition to the Newark water works, his municipal engineering work on the Isthmus, which included the complete installation of two water works supplying over 100,000 people, and the building of the Ashokan Dam in the Catskill Mountains, have given him an unusually broad engineering training for a man of but forty-two years of age.

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Dr. Werner Hegemann of Berlin, the well known German city planning expert, is coming to America in the spring of 1913 under the auspices of the People's Institute, 50 Madison Avenue, New York.

BOOK REVIEWS

PROPORTIONAL REPRESENTATION: A STUDY IN METHODS OF ELECTION. By John H. Humphrey. London: Methuen and Company, 1911, pp. xxi. $4.00.

This volume is an opportune and authoritative contribution to the literature of a fundamental and democratic electoral reform, now attracting the earnest and favorable consideration of progressive legislators, especially in Europe. It is the first English or American work to present a general survey of the remarkable progress of proportional representation in recent years, and a comprehensive and concrete discussion of the reform in the light of its actual workings in the various countries that have adopted it. The entire book

clearly reflects Mr. Humphrey's thorough mastery of his subject, his familiarity with the latest developments in his field the world over, and his exceptional qualifications to speak with authority, particularly with regard to the practical detailed operation of the new electoral machinery. He has been secretary of the Proportional Representation Society for some years, has organized and conducted a highly successful series of "enlarged illustrative elections," and has personally observed elections under the new system in Belgium, Sweden, and the Transvaal.

The work embraces a discussion of both the direct and indirect results of elections by majority or plurality vote whether by district or general ticket; of earlier forms of non-proportional representation of minorities by means of the limited, the cumulative, or the single vote; of the second ballot on the continent and the alternative, or preferential, vote in Australia as solutions of minority elections in three-cornered contests; of the different systems of proportional representation now in use in comparison with one another. The value of the volume is enhanced by the addition of a series of eleven appendices, aggregating 112 pages, on such topics, among others, as the single non-transferable vote in Japan, the proportional systems of Sweden and Finland, the second ballot in Germany, statistics of the general elections in the United Kingdom, 1885–1910.

The operation of the single-district system is critically analyzed and its direct results summarized as follows: (1) Often a gross exaggeration of the strength of the victorious party; (2) sometimes a complete disfranchisement of the minority; and (3) at other times a failure of the majority of citizens to obtain their due share of representation. Indirectly the system gives rise to false impressions of public opinion and consequent unstable legislation, unduly exalts party organization, and is largely responsible for the increasing degradation of party strife by making the result of the whole election hinge on a "final rally" of a handful of nondescript voters. The limited, the cumulative, and the single vote are shown to have accomplished their purpose of securing large minorities a share of representation, but to be non-proportional and lacking in the elasticity and adaptability characteristic of a true system of representation. While recognizing that the preferential vote "possesses many and valuable advantages as compared with the second ballot," the author holds that both are designed to "maintain the exclusive representation of the majority in each constituency" regardless of inequalities, and that "neither . . . can solve the problem of three parties seeking representation."

Proportional representation is urged by Mr. Humphreys as the only just and adequate solution of England's electoral problems, as the key not only to electoral but also constitutional and social reform. While preferring the single transferable vote system to the various list systems, he declares that results demonstrate the immeasurable superiority of the latter over ordinary electoral methods. The reasons given for his preference are that the single transferable vote is more elastic, adapts itself more freely to new political conditions, appeals with greater force to English-speaking peoples because based upon the direct representation of the electors, and has the stronger likelihood of becoming the common electoral method for the British Empire.

This work should prove very effective in advancing the proportional representation propaganda in Great Britain, for which it was primarily written. But its interest and value are by no means confined to Englishmen, nor to students of English politics, but extend to the United States with its similar electoral problems, and to all students of present-day political methods.

LEON E. AYLESWORTH.

THE INITIATIVE, REFERENDUM AND RECALL. Edited by William Bennett Munro. New York: D. Appleton and Company. $1.50.

This is one of the volumes of The National Muncipal League series. The material contained in its fifteen chapters is reprinted for the most part from the *Proceedings of the National Municipal League*, the *Atlantic Monthly*, the *Political Science Quarterly* and other recent sources. Only the introductory chapter by Professor Munro and two of the four chapters on the recall appear to have been written specially for this volume. As one would naturally expect, there is more or less repetition both of facts and arguments. This disadvantage, unavoidable in a book of this sort, is a minor drawback compared with its chief advantage—its discussion of these newer devices of democracy from varying points of view, which range all the way from partisan advocacy to equally partisan hostility. The introductory chapter and the article on "A Year of the People's Rule in Oregon" by Professor George H. Haynes deserve special mention as representing the viewpoint of the careful student of political science. Of more interest to the general public at the present time are the chapters on "Nationalism and Popular Rule" and "The Issues of Reform" by Colonel Theodore Roosevelt and Governor Woodrow Wilson.

One who reads this volume critically can hardly fail to see that the extremes of opinion concerning the initiative, referendum and recall are predicated upon different theories of government. The controversy is not a mere disagreement as to the means that should be employed, but really involves the question of the right of the majority to exercise effective political control. The most enthusiastic advocate of the initiative, referendum and recall recognizes the fact that experience will doubtless suggest may desirable modifications in these new tools of democracy. Much of the opposition to this so-called direct democracy, however, is really based on the belief that pure democracy, whatever its form, whether direct or representarive, is inherently bad. The progressive who believes that the compelling force behind the government should be the will of the majority, has little in common with the conservative who believes that governmental organization should be such as to impose effective checks upon the will of the majority. A volume such as this will render a distinct service, if it helps to bring about a clearer realization of the fact that the most important political question, now before the people of this country, is not whether we should have representative or direct democracy, but whether government should or should not reflect the will of the people.

The view-point of Senator Bourne who accepts as logical and necessary such changes in government as may be required to ensure an effective expression of public opinion in legislation, is in striking contrast to that of Congressman McCall whose distrust of these instruments of majority rule, reminds us of the eighteenth century conservative. Between these two extremes are others who are inclined to view with favor the introduction of the initiative, referendum and recall, but at the same time wish to preserve such check on public opinion as now exists in the power of the courts to declare laws null and void. This is clearly the view of both Professor Munro and Governor Wilson, though the latter is more pronounced than the former in his belief that the initiative and referendum will make legislative bodies more truly representative. Both, however, refuse to recognize the obvious fact that courts in this country are lawmakers and see no reason why they should be subjected to popular control through the recall. With this power in the hands of judges not subject to popular control, it is difficult to see how a legislative body can be in any true sense responsible, since responsibility necessarily implies the power to do that which the people

demand. In this respect the moderate progressive, such as Governor Wilson, occupies common ground with the ultra-conservative.

An interesting and significent feature of this current discussion is the failure on the part of the opponents of the initiative and referendum to bring forward any plan for securing responsible representative government. Those who do not believe in direct democracy, but do believe in popular government of the representative type, would occupy a much stronger position, if they frankly recognized the fact that our constitutional system was not designed to secure responsibility and were willing to support such changes as would really bring the law making power under effective popular control.

J. Allen Smith.

University of Washington.

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The History of Local Rates in England. By Edwin Cannan, N. A., LL.D. London: P. S. King and Son. 3s. 6d. net.

Mr. Edwin Cannan, professor of political economy in the University of London, is the author of a brief *History of Local Rates in England.* For an American unfamiliar with English taxation it is necessary at the outset to define the meaning of the word "rates" as used in England. Our expression "local taxes" is almost the exact equivalent of the English term local rates. Professor Cannan uses the term tax to signify what we commonly call a special tax. He means by tax such an imposition as the uniform tax on mortgages and credits in Pennsylvania, or the one half per cent tax on the recording of mortgages in New York, or the 1 per cent tax on the operating property of railroads in Connecticut. An English tax then is a fixed rate upon certain property or business regardless of the product. A rate, on the other hand, is determined in accordance with the necessity for income, and is fixed as is the tax rate in the city of New York, by dividing the sum of money to be raised by the total taxable base.

English local rates, unlike our local taxes, are a percentage of income from the kind of property rated instead of a percentage of the capital value of the property rated.

While in the United States it is often difficult to determine by reading the statutes what may be the exact method of administering the law, nevertheless our taxing statutes generally describe in detail the character of property to be taxed and the mode of its assessment. The statutes governing English rates are what we would call ancient and very meagre. The difference in the English and the American point of view is well illustrated by Mr. Cannan's statement, that "the importance of local rates is not so ancient a matter as we might be tempted to expect on general consideration. I doubt if any very clear and important cases are likely to be found earlier than the *thirteenth century.*" Plenty of cases, however, he said existed in the middle of that century "the customs of Romney Marsh which then were at any rate old enough to be described as "ancient and approved" required certain services from the men of the marsh, which are marked by the distinguishing characteristics of a local rate." In 1250 a dispute occurred concerning who were bound to repair the sea walls. An ordinance was issued appointing twelve men to measure the walls and the land which was in danger, and then to apportion the duty of repairing the walls upon the owners of the land in proportion to the area of land owned. If any man neglected to repair his portion the bailiff might do the work and charge the delinquent with double the cost. This plan is very like an assessment for a local improvement as we now understand it, and is practically identical with the labor method of repairing roads in the country.

In the early days of rates it was persons and not things that were rated.

The accepted view was that each inhabitant should pay according to his ability or substance. Something in the nature of a valuation list sprang up to guide the assessors in determining the ability of the rate payers. Trouble arose in the case of non-resident owners of property, and it was decided that a non-resident was an inhabitant for the purpose of rating when he owned real property in the territory. A distinction was made between rates for ordinary expenses and the building of roads, sewers, and such improvements as obviously tended to enhance the value of neighboring land. In the middle of the sixteenth century Scarborough Pier was rebuilt, and the money was raised for the repair and subsequent maintenance by taking one-fifth of the rents receivable by all persons who owned lands lying within the town of Scarborough. The sum was collected from tenants, but tenants were allowed to deduct the amount from their rents. All contracts to the contrary, past, present and to come, were rendered void.

Mr. Cannan says that a distinction was made between a road through a town and the highway in the country. The town road was repaired by the owners, not the occupiers of the property abutting upon it. On the other hand a highway connecting two towns seems to have been a charge upon all of the property within the towns. Such distinctions are common in American provisions for assessments for local improvements. A highway deemed to be a benefit to an entire city is made a city charge.

The rates for the relief of the poor were to a large extent voluntary gifts by the people of the parish. Indeed, an act of Parliament of 1530 provided that the church wardens of every parish were to collect alms of the good Christian people within the same with boxes every Sunday for the relief of the poor. Moreover, they were directed to compel all "sturdy vagabonds" and "valiant beggars" to be kept to continual labor.

The rating system of the present time came as a slow development, both in respect of the property rated and the manner of rating. For a long time income was supposed to be taken into account in the rating of persons. Gradually, however, the rental value of the property occupied was generally adopted as a basis for estimating the relative ability of the ratepayers. Even down to the last century movable property was rated in some places, although "to rate value in respect of goods held merely for personal use, such as household furniture, was never usual, though like almost every conceivable thing in rating, it was occasionally done." We may take to heart what the author says: "Such articles would be regarded as a source of expense rather than of income and as therefore making owners less, rather than more able to contribute." Finally, in 1840 an effort was made to enforce the rating of stock-in-trade. The action was very unpopular and "the government promised a bill for exempting stock-in-trade. This was soon endorsed and passed first and second readings without discussion. On its going into committee, Mr. Goulburn uttered a feeble and somewhat obscure protest in the interest of tithe-owners. The attorney-general asked if he really thought "that it would be better to let the law remain as it was. If the right honourable gentleman thought so, he was the only man in the House or in the country who held that opinion . . . . It had been found utterly impossible that a rate on stock-in-trade could be so modelled as to be free from legal objections. . . . . In fact, the law had become quite odious, and except in a very few instances, no attempt had been made to enforce it." Then the bill made that law which was at present usage. The bill passed its third reading, but was then withdrawn because of technical errors. A substitute was passed which finally exempted stock-in-trade from being rated for poor relief. Rates for other purposes have been assimilated to the rate for the relief of the poor. The rates fall on immovable property in

accordance with the rent actually paid for its use, or if occupied by the owner on what would be supposed to be the rent if it were rented to another. There are various discriminations particularly in favor of agricultural land.

We have a survival of this practice in Philadelphia, and had it in Pittsburgh until recently, when the gross injustice of taxing land valued at thousands of dollars only one-third as much land built upon in the immediate vicinity lead to the repeal of the discrimination, and a uniform tax rate throughout Pittsburgh.

For nearly a century a contest has been going on between the local ratepayer and the national taxpayer. The local ratepayer has striven to charge the general government with various expenses to bring about a reduction of rates. Mr. Cannan points out that someone must pay the bill and if the contest were for the reduction of local rates and the imposition of a particular tax to take the place of the rates the shifting would rarely take place.

Mr. Cannan likes English local rates, and points out what is quite true, that any system long adhered to results in a certain distribution of the burden upon the faith of which contracts are made and people do business. He opposes vigorously any shifting of the burden from houses to lands, and discusses the matter as though he had never heard of the ordinary American system of imposing local taxes on land at its capital value. He says that the value of the land is an untaxed value, but seems not to understand that a tax on land is not shifted, while a tax on a building certainly is. If the author could have a few minutes conversation with the owners of land in New York or Boston he would be ready to change his view very quickly.

To an American the sight of pasture land in the heart of an English city, paying taxes on the rent paid for the pasturage of a cow, when the land is greatly needed for commercial or residential purposes, is a sight which does not appear to disturb the author much as it does disturb a citizen of America.

Altogether Mr. Cannan's book is a valuable contribution. The history of how English rates for local purposes came to be what they are at the same time throws much light on how the local taxes in the United States came to be what we now have them.

Lawson Purdy.

New York.

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Smoke, A Study of Town Air. By Julius B. Cohen and Arthur G. Rushton. New York: Longmans, Green and Company. $1.40 net.

While American cities have only recently begun to realize the seriousness of the smoke nuisance wherever soft coal forms the chief fuel used for industrial purposes, England has long recognized the nuisance. As early as 1257, Eleanor, Queen of Henry III, is reported as having left Nottingham for Tulbury Castle in order to escape the smoke of the "sea coles"—as they were then called. Since 1889 Parliament has repeatedly directed its attention to the smoke problem and thrice appointed special commissions for its investigation. Not much was accomplished, however, toward the scientific study of the problem or toward the abatement of the nuisance until Sir William Richmond and his friends founded the Coal Smoke Abatement Society in 1899.

Since then considerable literature upon the subject has appeared, including numerous addresses prepared especially for the several anti-smoke conferences that have been held from time to time in Great Britain. Until the publication of this volume by Cohen and Rushton, however, there has been no authoritative general survey of the subject. Within the compass of 88 pages, many of which contain really helpful illustrations and diagrams, the authors—both of whom are members of the faculty of Leeds

University—have given a careful and reliable statement of those phases of the smoke problem that have been scientifically investigated. They have given the health question a subordinate place in Appendix A, which summarizes the statistical evidence collected on this subject by Dr. Ascher of Hamm, Westphalia. There are brief sections on: The composition of soot; the daily soot fall (in London and other English cities); the effect of soot on vegetation, on masonry, and on metal work; town fogs; and the dispersal of soot. This information relates of course mainly to British experience, and conditions in Great Britain differ from those that prevail in the United States because soft coal is the chief domestic fuel there, while in this country the smoke nuisance is mainly attributable to industrial establishments. The book certainly will help those interested in the abatement of the smoke nuisance to appeal with additional force and greater success, than has hitherto been the case, to the government and to the general public.

A fairly accurate estimate of the daily amount of soot fall in Leeds indicates that it is 335 tons per square mile per annum, or roughly one ton per day per square mile. In London, the average has been found to be about 259 tons per square mile per annum.

Soot contains varing amounts of tar, which adheres so tenaciously to everything that it is not even removed by rain. Mr. Harris, of Glasgow, estimated that in the city of Glasgow 25.7 tons of tarry matter are delivered into the air every day; on this basis the figures for Leeds would be 23 tons per day. It is the presence of this tar in the soot that is largely responsible for its disastrous effects on vegetation, illustrated by several experiments made in and near Leeds upon lettuce, radishes, evergreen and other plants.

Numerous experiments in the effect of smoke on sunlight are also reported, indicating that as much as 25 per cent of the total daylight is absorbed in the center of the industrial area of Leeds by its smoky atmosphere.

C. W. A. Veditz.

Washington, D. C.

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Efficiency in City Government. *The Annals of the American Academy of Political and Social Science*, vol. xli, whole no. 130, pp, 319, May, 1912.

Efficiency in city government, based upon a scientific study of conditions is of such recent origin that any literature devoted to this subject cannot but commend itself to the student of municipal affairs. This timely volume is all the more interesting because it contains, in the form of carefully prepared papers, contributions from thirty experts or officials, the majority of whom have had practical experience in some department, or bureau of research in a large city, county or state. These papers were collected and edited by Dr. Clyde L. King, associate editor of the *Annals of the American Academy of Political and Social Science*, and editor of the volume on *The Regulation of Municipal Utilities* in the National Municipal League series, and are grouped under four general heads:

The first deals with the need for efficiency in municipal government and contains a paper by Henry Bruère on "Efficiency in City Government" and another contribution is by Frederick A. Cleveland on "The Need for Coördinating the Municipal, State and National Activities." These two papers form a very good general introduction to the volume, are carefully prepared, and, while illustrated with facts, lay down fundamental principles applicable to any city.

Part two, headed "Efficiency Principles Applied," contains nineteen papers on efficiency in various departments such as accounting, budget, health, municipal labor, water and gas supply, charity

public works, etc., the last paper being an account of "Efficient Administration under the Commission Plan" by the mayor of Trenton, New Jersey.

Part three deals with the work of bureaus of municipal research in New York, Philadelphia, Cincinnati and Milwaukee, the contributions being made by officials of the bureaus in these cities.

"Training for Municipal Efficiency" is the subject of part four and contains three papers: One by Prof. C. E. Merriam on "Investigation as a Means of Securing Administrative Efficiency" is an excellent account of the work of an aldermanic commission—for the creation of which Mr. Merriam was responsible and in which he served as chairman—appointed to investigate the expenditures of the city of Chicago. The second paper by U. L. Leonhauser on "A National Fund for Promoting Efficient Municipal Accounting and Reporting," briefly outlines the scope of the work prosecuted by means of the Metz Fund of New York; the third by Dr. W. H. Allen discusses the subject of "Training Men and Women for Public Service."

Limited space will not permit a discussion of the relative merits of the various papers comprising this volume. In general, however, it may be said that the need for greater efficiency in the management of almost every department in our cities is very evident. For example, Mr. Welton, in his paper on "The Problem of Securing Efficiency in Municipal Labor," says—and he writes from experience: "Except to the few who have made a study of the subject, the extent of municipal inefficiency is almost unbelievable" (p. 103). He shows that the "average efficiency of labor in any large municipality will not at the present time exceed 50 percent." This means a waste in the annual pay-roll of New York City of approximately $8,500,000. Nor is the writer content with merely estimating the waste. Remedies are suggested and, fortunately, some of the cities have already adopted these remedies by actual tests in reorganizing departments on an efficiency basis with telling results. Thus, for example, in New York an experiment was made reorganizing a part of the maintenance force of the bureau of sewers which resulted in a net increase in efficiency of 275 per cent; and what is true of labor is true in other lines. This, a reading of the volume makes clear. It also makes clear that the entire problem of municipal efficiency can only be solved by a careful study of minute details, by patient effort along lines hitherto neglected, and above all, by an awakened public conscience supporting the efforts of reform. In the opinion of the writer the volume is a real contribution to the literature of municipal government. A good index adds much to the usefulness of the work.

Karl F. Geiser.
Oberlin College.

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The History of the Government of Denver with Special Reference to its Relations with Public Service Corporations. By Clyde Lyndon King, Ph.D. Denver: The Fisher Book Company, 1911, 12 mo, pp. xvi, 322.

Every city that aspires to be great needs a body of local civic literature. The daily newspapers have so fully occupied the field of local interests that few people, apparently, have noticed the lack of a more intensive and permanent literary interpretation of the life of their particular city. True, we have the Pittsburgh Survey as a sort of industrial and social cross-section of a great urban community. We have, also, local histories, filled with curious anecdotes of the early days and with pictures of the leading citizens and the historic buildings. We have a composite book about Providence and Dr. Dodd's study of the administration of Washington. Then there is the literature of reports, from the city comptroller's list of vouchers to the report of the Chicago vice commission. All of these are valuable, unless

it be the lists of vouchers. But, after all, one would naturally expect something more. Civic interests are so universal, so absolutely vital, so dependent upon the intelligent coöperation of the city electorate, that one is bound to look for the touch of a master-hand to crystallize into virile literature the life of a great city. Dr. King's *History of the Government of Denver* does not fully satisfy this expectancy, but it marks the beginnings of intelligent striving to make a city live in a book dealing with urban government.

Denver is an interesting city from many standpoints. It owns none of the great utilities. It is one of a few of the large cities that have not yet municipalized the water works. It is the mining capital, and, largely for that reason, has found the local public service corporations allied with another group of interests which have dominated the state of Colorado. Denver is interesting because it has Judge Lindsey and his juvenile court. It is equally interesting and almost as famous on account of the "queer" actions of the other courts which have been called on to pass upon its governmental and franchise matters. It has had woman suffrage longer than any other large city in the United States. It has, for about ten years, been living under a radical home rule constitutional amendment and a home-made charter. It has tried the referendum on franchises with the electorate limited to taxpayers and it has tried the initiative on franchises with the franchises drafted by the companies applying for them. It is one of the few American cities that have been consolidated with counties.

Dr. King's book is open to criticism from the fact that the most interesting parts of it seem to be hidden away. What a person looking into it casually will see is the bones. The meat is inside the skeleton. This fault is due, apparently, to a too close adhesion to the chronological order and to an overemphasis of the importance of structural details of government. It is impossible to make the *annals* of any city's charter development keenly interesting. The book recites many dramatic incidents in the city's history and makes many keen observations and interpretations. For example, Dr. King says that the city councils of 1889 and thereafter "became mere registries where the public utility companies recorded such franchises as seemed best to further their ends." The tale of party, legislative and judicial subserviency to the public service corporations told in this book reaffirms and emphasizes the fact, long since patent to every practical student of municipal problems, that a city cannot be free and stay free without having an effective mastery of its own streets. The general student would have been pleased if the author had seen fit to give more space to the practical workings of woman suffrage in Denver, and also to the juvenile court. Moreover, the author does not bring out, with any sort of emphasis, the distinction between a referendum to the taxpayers and a referendum to the entire electorate. But he recites in detail the city's charter development, the causes of the city's growth and the development of the various public utilities. His conclusions are strongly against the bicameral council and in favor of the commission form of government, the short ballot, home rule and the referendum. On the vexing problem of the relations between state and city in the regulation of public utilities, he is in favor of having both a state and a local commission, the latter to pass on franchises before they go to the people, to regulate rates, to require extensions and to compel good service.

Delos F. Wilcox.

Elmhurst, N. Y.

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The Record of a City. By Rev. George F. Kenngott. New York: The Macmillan Company.

This book is, as its sub-title states, a social survey of Lowell, Mass., written

as a partial fulfilment of the requirements for the degree of Ph.D. at Harvard in the department of social ethics. The book shows the results of an immense amount of painstaking research.

A short history of Lowell is followed by a study of population, housing, health, standards of living, industrial conditions, social and recreation features; and a chapter of conclusions. Excellent maps, many photographs and charts place vividly before the reader phases of life among the mill operatives. The author has gone at his task with the attention to details that is characteristic of the Germans. Any sociological student would get valuable information from the book.

The three most interesting chapters are, perhaps, those on housing, standards of living and industrial conditions. The ownership of property is traced through the period of corporation ownership to the present time when the mills have sold their houses to persons who have increased rents out of proportion to the ability of the laborer to pay them. Racial influences on the housing problem are carefully discussed. Real estate owners of Lowell cannot plead ignorance as an excuse for maintaining unsanitary dwellings. The solution of the problem of sanitary housing, the author says, lies in the building of small comfortable cottages.

In the chapter on standards of living the budgets of 287 families are shown in tabular form in comparisons between income and expenditures on the one hand, and the number of calories of heat produced by the food purchased on the other. There are classifications by races as well. Very few deductions are made from an immense amount of data, and the only attempt at constructive suggestions in closing this chapter is that a desire for something better should be created in the working man.

In the chapter on industrial conditions labor laws and environment, the prosperity of the mills and the averages of working men's wages are treated. The reader would be glad to know the ultimate sources of the statement as to what are the average weekly wages and upon what basis they are averaged. There is a table showing a marked increase in mill dividends since immigrants from the East have been available as operatives, but no deductions are drawn. The question arises whether or not the courtesy of the mill agents and his own professional point of view may not have limited the author's range of vision.

It is apparent that the writer has endeavored to treat both sides of the question fairly, but while he has obtained first hand information from the mill owners, he had apparently obtained the larger part of his information of the laborers through others. Although he does not lack sympathy with working men he seems to lack personal contact with them.

The reader would be glad if such a fine piece of detailed study could have been accompanied by more constructive suggestions for remedies where remedies are obviously needed.

Palliatives are suggested in plenty. The fundamental solution he gives is:

> "The universal solvent for the social and economic problems of the day is love and good-will. . . . . The only remedy for the inordinate lust of wealth, the transformation of men into mere hands," the exploitation of the unskilled and ignorant by the selfish and designing, is first to seek the Kingdom of God and His righteousness."

In the year of grace 1912, "love and goodwill" are not going to provide food and a home.

One wishes that the author had studied the joint relation of the particular problems of his subject with the related problems that deal for example with a more equitable division of the products of labor, with a lower tariff, with the artificial stimulation of immigration and lastly with the exemption from taxation of improvements on land.

In spite of this criticism, merely as a book descriptive of conditions, it is of very great value. The author has a vast

fund of information and a keen insight into racial characteristics.

REGINALD MOTT HULL.
Cambridge, Mass.

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VALUATION OF PUBLIC SERVICE CORPORATIONS. By Robert H. Whitten. New York: Banks Law Publishing Company, 1912.

In the days of the stage coach and the ferryboat, the fixing of a reasonable rate and the determining of reasonable service were not very difficult matters as every citizen of the community knew practically the exact valuation of the ferry or the stage coach and could tell with accuracy as to the cost of operation and maintenance. Now, however, such information does not exist. Not even the director of the corporation can give a reasonable estimate as to the value of the average public utility plant. To the promoter, stockholder and director, the basis for the valuation of such plants is not the income actually received but the income that may be received when a monopoly is obtained upon the life needs of a growing city. Valuation and cost of construction and operation have long since parted company.

Yet there can be no sane or adequate regulation that is not based upon accurate valuation. Since the epoch-making decisions of the supreme court in 1889 and 1898, asserting the rights of the courts to declare unconstitutional all laws fixing rates or standards of service unless those laws allowed a reasonable return on the "fair value" of the property, the basis and methods of valuation have become of first importance. This volume gives the principles that have been used in determining valuation.

The author gives excerpts, not only from all the leading cases in which the courts and administrative tribunals have squarely faced the question of valuation, but also from the unpublished reports of special masters in equity, from the reports of appraisal commissioners appointed by the courts, from the decisions of state railroad and public service commissions, and from reports of appraisers appointed by local authority. The quotations are full. Accompanying each is a terse yet complete statement of the salient facts necessary to an understanding of the case.

Says Dr. Whitten, paragraph 39, page 40:

> While, therefore, it is established that a public service corporation must as a general rule be allowed to charge a rate that will produce a fair return on the fair value of the property used in the service of the public, there is as yet no authoritative determination of what constitutes fair value. The entire subject is in a developmental stage. Various standards and combinations of standards are being used or advocated. The three fundamental standards are: (1) Market value as a going concern. (2) Cost of reproduction. (3) Actual cost. Usually whether acknowledged or not one of these three standards will be the controlling factor. The appraiser may consider all three factors and may claim to give them all equal weight, but in fact, perhaps unconsciously, use the other two factors merely to throw light on the third which is made the actual standard.

One of the most interesting facts brought out by thus assembling the decisions of the courts and of railroad and public service commissions is that the courts have allowed higher valuations than the administrative tribunals. A comparative analysis also reveals that the administrative tribunals have been more thorough and scientific in their methods of arriving at conclusions. The courts have neither the training nor the attitude of mind needed for such purposes. Perchance it is because of this difference in methods of valuation that the serving corporations have always used their influence to have full appeal to the courts. It is happily significant, however, that a few of the "modern" courts, such as the Wisconsin supreme court, are holding that the functions of the courts, when considering an order of a railroad or public service commission, should be confined to the negative field of declaring invalid only

those orders of the commission which are clearly confiscatory.

The book is of inestimable value to all those at all concerned in the fundamental principles of regulating public service corporations. Dr. Whitten has done his work in a most meritorious manner.

CLYDE L. KING.

University of Pennsylvania.

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THE SOCIAL EVIL. Edited by Edwin R. A. Seligman. New York: G. P. Putnam's Sons.

A NEW CONSCIENCE AND AN ANCIENT EVIL. By Jane Addams. New York: The Macmillan Company.

THE WHITE SLAVE TRAFFIC. By O. Edward Janney. New York: The National Vigilance Committee.

The late William H. Baldwin was a pioneer in the modern consideration and treatment of the social evil. The report of the Committee of Fifteen of which he was chairman issued in 1902 has long been regarded as a standard authority. The committee which was created to institute "a searching inquiry, uninfluenced by partisan considerations, into the causes of the increase of gambling and of vice in the city of New York" went about its work carefully and thoroughly and its statements of facts and conclusions has an application and a value far beyond the confines of the city, so that when the first edition of the report was exhausted, a second one was prepared by Professor Seligman of Columbia, the secretary of the original committee.

This volume contains the report proper without any changes. Part III contains the new matter and is devoted to the decade's development (1902–1912).

The bibliography is full, although arranged according to authors instead of subdivisions of the subjects. The division into nations is helpful.

Miss Addams writes out of a long and wide experience, a full knowledge and a deep sympathy. She pleads with her usual force, sanity and aptness for wider discussion and increased social control. Her book supplements and reinforces the reports of the Committee of Fifteen and of the Chicago Vice Commission.[1]

This volume is made up principally of articles which originally appeared in the *McClure's Magazine* and has no index.

Dr. Janney's book is the outgrowth of his work as chairman of the National Vigilance Committee for the Suppression of the White Slave Traffic, and as one of the two official representatives of the United States at the International White Slave Congress held at Madrid, October 24–28, 1910. It is a clear, concise statement of facts about this "plague of evil." The appendix contains the texts of treaty and laws dealing with the subject.

These three volumes illustrate how much progress has been accomplished since Prof. Sheldon Amos wrote his book *A Comparative Survey of Laws in Force for the Prohibition, Regulation and Licensing of Vice in England and Other Countries* in 1887, in which he said:

> The subject of this treatise encounters peculiar obstacles in the way of public and thorough discussion. It receives only scanty notice at the hands of public journalists. It can never form the topic of common conversation.

C. R. W.

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REPLANNING SMALL CITIES. By John Nolen. New York: B. W. Huebsch. $2.50 net.

Mr. Nolen has gathered his reports on Roanoke, a small city of the new south; San Diego, a Pacific Coast report and future resort; Montclair, a residence town suburban to New York; Glen Ridge, a model borough in New Jersey; Reading, a small industrial city, and Madison, a state capital and university town, added

[1] See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 84.

opening and closing chapters and given us this very interesting volume. While there is little that is new, it is helpful to have these suggestive studies in one compact volume. Its place in the city planning movement will be considered in the January issue in leading articles from the pens of Prof. Charles A. Beard, associate editor of the NATIONAL MUNICIPAL REVIEW, and Charles Mulford Robinson.

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THE HISTORY OF THE GENERAL FEDERATION OF WOMEN'S CLUBS. By Mary I. Wood. New York: The History Department of the G. F. W. C. 1912. $1.50.

The history committee of the General Federation is responsible for this interesting account of the first twenty years' activities of that most useful body. This well indexed volume of 445 pages gives chronologically an account of the formation of the Federation, and of each annual meeting. It is to be hoped that the same or an equally competent committee will in the course of the next two or three years give us a topical history. It would be most interesting to learn at first hand how interest in one vital subject after another has been developed and made effective. The present volume does not aim to do this. If one wishes to ascertain for instance what action the Federation has taken in civic affairs reference must be had to the index. By doing this we find that in describing the very first meeting these words:

> This gathering of women was, even to themselves, a revelation of a new force. The reports from the individual clubs showed great similarity. Starting almost invariably with the small band of congenial women who came together for self culture and intellectual improvement, the very exercise of these pursuits had aroused a thirst for knowledge along broader lines and had turned the thoughts of the members from the old meaningless routine of social life into a wider, more stimulating interest and participation in educational and civic affairs.

From that time on to the present that interest has broadened and developed until the Federation has become one of the big dominating factors in our American civic life. The details of movements are told, but chronologically along with other matter all valuable, all important, but needing to be supplemented by a rearrangement along the lines indicated.

C. R. W.

BOOKS RECEIVED

THE CONTROL OF TRUSTS. By John Bates Clark and John Maurice Clark. New York: The Macmillan Company. $1.00 net.

GOVERNMENT BY ALL THE PEOPLE, OR THE INITIATIVE, REFERENDUM AND RECALL AS INSTRUMENTS OF DEMOCRACY. By Delos F. Wilcox. New York: The Macmillan Company. $1.50 net.

HANDBOOK FOR HIGHWAY ENGINEERS. By Wilson G. Harger and Edmund A. Bonney. New York: McGraw-Hill Company. $3.00 net.

HOUSING PROBLEMS IN AMERICA. Proceedings of the First National Conference on Housing. New York City. 1911.

SOME CHEMICAL PROBLEMS OF TODAY. By Robert Kennedy Duncan. New York: Harper and Brothers. $2.00 net.

THE COURTS, THE CONSTITUTION AND PARTIES. By Andrew C. McLaughlin. Chicago: The University of Chicago Press. $1.50.

FIRE PREVENTION. By Peter Joseph McKeon. New York: The Chief Publishing Company.

THE PRESIDENT'S CABINET. By Henry Barrett Learned. New Haven, Conn.: Yale University Press. $2.50.

THE TAXATION OF LAND VALUES. By Louis F. Post. Chicago: The Public. 30 cents.

RECENT MUNICIPAL DOCUMENTS

Miss Adelaide R. Hasse

Chief of the Bureau of Documents, New York Public Library

Administration in General

Berlin, Germany. Gemeindeblatt der Haupt- und Residenzstadt. Jahrg. 53. 1912. no. 16–13. April 21–August 4. p. 197–332.

No. 16 contains a long defense against the attacks made upon the city because of the quantity of wood being cut from the Bucher Wald, a municipal property acquired in 1898 for dumping purposes. No. 18 (p. 224, May 5) has a notice that the unearned increment tax for the city of Berlin is declared legal after having been twice appealed. All of these papers contain material on the continuation or vocational schools of Berlin.

Bordeaux, France. Procès-verbaux des séances du conseil municipal de Bordeaux. 1912. no. 3–7. March 5–April 26. p. 43–193.

Boston, Mass. City Record (weekly). v. 4, no. 18–34. May 4–August 24, 1912. p. 357–704. 4°.

All bids and contracts awarded as well as departmental notices, are published in the City Record. Nos. 29, 33 and 34 contain a communication from the finance commission to the mayor protesting against the mayor's refusal to purchase Graetzin lamps for street lighting. No. 33 contains a report from the same commission of an investigation of fire department automobile apparatus. On p. 659 of No. 33 is a table showing the amounts which each of 15 American cities propose to spend in carrying into effect their several schemes of city planning. No. 32 contains (p. 616) a comparative table showing department expenditures to August 1 of each year for a five-year period to 1912–13. No. 28 contains a letter from the health commissioner on Boston's milk supply. No. 27 reprints an article from the Engineering Record by Nelson P. Lewis, chief engineer of the New York City board of estimate and apportionment on the pavement problem, especially as to repaving as it relates to New York City. No. 26 has a note on a municipal museum for New York City. No. 24 contains the text of Mayor Fitzgerald's address before the National Conference on City Planning, May 28. This is followed by the text of the address of Street Commissioner James A. Gallivan before the same body on "Paying the Bills for City Improvements." Mr. Gallivan comments on the recent constitutional amendment adopted in Massachusetts whereby the principle of excess condemnation applies to the cities and towns of the commonwealth. No. 23 construes the law of 1912 (ch. 272, act of 1912) relating to the collection of taxes and under which the city collector of Boston is made personally liable for the amount of all taxes outstanding three years from their commitment to him. No. 23 (p. 458–459) contains "Some data on the metropolitan park system." No. 22 contains an article on the "Expenditures for Sewerage Works [of Boston] from 1895 to 1912." The same number quotes from Professor Munroe's article in "The American City" on excess condemnation. No. 19 contains a statement of the commissioner of public works in reply to a report of the finance commission, printed in No. 18, on the ferry service.

Breslau, Germany. Verwaltungsbericht für die drei Rechnungsjahre vom 1 April 1907 bis 31 März, 1910. xviii, 803, 325 p.

Centralia, Washington. Summary of proceedings and itemized statement in detail of the receipts and expenditures of the city commission (monthly). 1912, January–May. 4°.

Charleston, S. C. Yearbook, 1911. xii, 511 p. 8°.

Chattanooga, Tenn. Municipal Record. v. 1, no. 9–12. 1912, January–May. v. 2, no. 1–2. 1912, June–July. 4°. illus.

Each number contains a financial statement for the month. Vol. 1, no. 10 contains a report on the public parks of Chattanooga; no. 11 contains tables showing kind and value of present manufactures of Chattanooga and also a table showing her industries, investment, employees, annual production and annual wages in 1860, 1866, 1880, 1890, 1905 and 1912.

Chicago, Ill. Civil Service Commission. Charts of organization of all departments of the city of Chicago as in effect February, 1912.

—— Civil Service Commission. Report on the Building department inquiry. 1912. 59 p.

The Engineering Record's comments on this report are reprinted in the Boston City Record, v. 4, no. 28, p. 526.

Colorado Springs, Colo. Summary of proceedings and department reports (monthly). 1912, January–June.

CORUÑA, Spain. Boletin del ayuntamiento de la Coruña y estadisticas. (Monthly). 1912. January–May. 4°.

The "estadisticas" are the regular monthly statistical reports, which have been entered below under Statistics, which see.

DENVER, Colo. Denver Municipal Facts (weekly). v. 4, no. 18–34. 1912. May 4–August 24. illus.

No. 18 contains description and illustrations of the buildings to be razed and the sites to be condemned for the proposed civic center, and a note on the auction sale of stalls at the city market. No. 19 contains an illustrated article on the annual civic parade of 1912. No. 20 contains an illustrated article on the parks of Denver. No. 21 has an illustrated article on the annual play festival of 1912. No. 22 has cuts of motor propelled fire and police apparatus and more material on parks and playgrounds, also a brief history of Denver's great civic center project. No. 23 reproduces the table from the Brooklyn Eagle showing the approximate amount 15 American cities propose to spend in city planning schemes. No. 24 has a communication on the city playgrounds. No. 25 publishes the rules and regulations for motors and vehicles in force in Denver. No. 28 has an illustrated article on designs in ornamental street lighting in Denver, a table showing telephone rates in 28 American cities, a record of the proceedings of the first meeting of the city board of advisers appointed by various commercial and civic bodies. No. 31 contains the report of Frederick Law Olmsted on developing Denver's civic center.

DIJON, France. Bulletin municipal officiel de la ville. Année 17, série 2. 1912. no. 3–7. March–July. p. 141–542.

Each number includes the Bulletin mensuel de statistique of the Bureau d'hygiène for the preceding month.

HANAU, Germany. Bericht über die Verwaltung, 1908–1910. (2), 350, 64 p.

HOUSTON, Texas. Progressive Houston. v. 3, no. 12. 1912, April. v. 4, no. 1–3. 1912, May–July.

V. 4, no. 3, has an illustrated article on the local market.

HUDDERSFIELD, England. Abstract of the accounts of the treasurer of the corporation for the year ended 31st March, 1912. 218, 31 p. 8°.

JOHANNESBURG, Transvaal. Minutes of the municipal council. 1912, February 7–July 24. p. 103–669. f°.

KEOKUK, Ia. Second annual report April 1, 1911, to March 31, 1912, under the commission plan of government. 34 p., 1 leaf. 8°.

LOS ANGELES, Cal. Los Angeles Municipal News (weekly). v. 1, no. 1–20. 1912, April 17–August 28.

Paper is the size of an ordinary newspaper with advertisements.

MANCHESTER, England. Proceedings of the municipal council, 1910–11. 3 vols. 8°.

MARSEILLE, France. Bulletin municipal officiel de la ville de Marseille. (weekly). Année 18. no. 829–842. 1912, January 7–May 26. p. 1–100.

MILWAUKEE, Wis. Bureau of economy and efficiency publications.

No. 14. Water works efficiency. 2. Present capacity and future requirements. February 15, 1912. 23 (1) p., 2 maps.

No. 15. Health department. 2. Education and publications. February 29, 1912. 28 p., 1 chart.

No. 16. Water works efficiency. 3. Operating efficiency. March 15, 1912. 30 p., 5 charts.

No. 17. Recreation survey. March 31, 1912. 31 (1) p.

Theatres, moving picture shows, playfields, dance halls, etc.

No. 18. Health department. 3. Communicable diseases. April 15, 1912. 37(1) p., 1 l., 1 chart.

No. 19. Eighteen months' work [of the bureau]. April 15, 1912. 44 p.

MUNICH, Germany. Sitzungsberichte des Magistrats, Gemeinde-Kollegiums, etc., Jahrg. 41, no. 31–63. April 20–August 7, 1912. p. 697–1201. 4°.

Munich is erecting a new building at a cost of 330,000 M. to be used only as a hog market (p. 713 et seq.). A special school for deaf children (p. 717 et seq.) is proposed. Pages 724 et seq. contain a lengthy discussion on the regulation of street peddlers. The automobilization of the fire service is discussed on p. 734, 753 et seq. Pages 742 et seq. contain a discussion relative to a general increase in the wages of municipal laborers. The concessions demanded by the protective union of wholesale fruit-dealers in the public market are discussed on p. 864 et seq. The pros and cons of an unbroken school and work day are interestingly debated on p. 791–802. Pages 1073–1083 relate to the reorganization of the free medical service for the poor. Incidentally the system of compulsory or voluntary attendance as obtaining in other German cities is discussed.

Nancy, France. Bulletin administratif. Tome 34. Année 1911. 423 p., plans. 4°.

—— Procès-verbaux des délibérations du conseil. Année 1911. 588 p. 8°.

Pittsfield, Mass. Municipal register, 1912. 386 p. 8°.

Springfield, Mass. Municipal register of the city of Springfield for 1912. 1118 p.

Contains annual reports of the auditor, board of health, building commission, building department, chief of police, engineer, fire commission, forester, liquor license commission, overseers of the poor, park commission, police commission, schools, sinking fund commission, superintendent of street, of sewers, treasurer, water commissioners.

Abattoirs

See below "Statistics" (Berlin, Duisburg, Düsseldorf, Halle a. S., Johannesburg, Königsberg, Milan, Munich).

Bakeshop Inspection

See also below "Public Health" (Aberdeen), "Statistics" (Buenos Aires).

Rovigo, Italy. Panificio communale di Rovigo. Previsioni per l'anno 1912. Anno 5. 7 p. f°.

Bill Boards

New York City. Accounts Commissioner. Report on an investigation of billboard advertising in the City of New York. 1912. 39 p. illus. 8°.

—— Report of the committee on buildings of the board of aldermen relative to the regulation of signboards. July 11, 1912. (City Record, 1912. pp. 5970–5971.)

Budgets

Amiens, France. Budget ou état des recettes et dépenses pour l'exercice 1912. 129 (1) p. 4°.

Bochum, Germany. Haushaltspläne für das Rechnungsjahr 1912. 126, 11 p. 4°.

Budapest, Hungary. Költségvetése 1912 évré. 226,690, 74 p. 4°.

Budget of Budapest for 1912.

Cassel, Germany. Haushalts-etat für das Etatsjahr bis Ende März 1912. 299 p. 4°.

Crefeld, Germany. Haushaltsplan für das Rechnungsjahr 1912. 498 p. 4°.

Dijon, France. Budget des recettes et des dépenses pour l'exercice 1912. 52 p., 6 leaves. 4°.

Elberfeld, Germany. Haushaltsplan für das Rechnungsjahr 1912. 643 p. 4°.

Fougères, France. Budget de 1912. 45 (1) p. 4°.

Freiburg, i Br., Germany. Voranschläge für das Rechnungsjahr 1912. xxvi, 265 p. 4°.

Hanau, Germany. Haushaltsplan für das Rechnungsjahr 1912. 273 p. 4°.

Lüneburg, Germany. Haushaltsplan für 1912. 265 p. 4°.

Lyon, France. Budget municipal pour l'année 1912. 158 p. 4°.

—— Documents relatifs au projet de budget de 1912. Rapport présenté au conseil municipal par le maire de la ville. 631 p., charts. 4°.

Munich, Germany. Haushaltplan für die Gemeinde, Stiftungen und Armenpflege im jahre 1912. xi, 620 p. 4°.

Nancy, France. Budget ou état des recettes et dépenses pour l'exercice 1912. 57 p. 4°.

New York City. Board of Estimate and Apportionment. Departmental estimates for the budget of 1913. 280 p. f°.

Nimes, France. Budget ou état des recettes et des dépenses pour l'exercice 1912. 92 p. 4°.

Norfolk, Va. Budget for 1912–1913. Amounts recommended by the finance committee for the fiscal year beginning July 1, 1912. 10 (1) p. f°.

Vienna, Austria. Hauptvoranschlag für das Verwaltungsjahr 1912. 3 Theile. 4°.

Building Construction

See above "Administration in General" (Springfield), and below "Statistics" (Aachen, Berlin, Boston, Chemnitz, Duisburg, Düsseldorf, Halle a. S., Johannesburg, Milan, Munich).

Charters and Ordinances

AACHEN, Germany. Aachener Ortsrecht. Sammlung der Ortsstatuten sowie der die Verwaltung der Stadt Aachen und ihre einzelnen Einrichtunzen betreffenden wichtigeren allgemeinen Bestimmungen. Jahrg. 1912, Heft 1–3. p. 1–92. 8°.

Heft 1 contains, among others, ordinances regulating the municipal pawnshop, and a taxicab ordinance; Heft 2 an ordinance regulating the baths in the public school houses; Heft 3 an ordinance providing for widows and orphans of teachers in the public schools.

CAEN, France. Bulletin municipal de la ville de Caen. Année 20, no. 2–5. 1912, February–May.

Pages 106–123 contain Cahier des charges pour l'exploitation du Théatre de Caen, saison théâtrale 1912–1913.

CEDAR RAPIDS, Ia. Ordinances of the city passed 1912. no. 967–987.

Ordinances 974–975 authorize the Cedar Rapids and Iowa City Rwy. and Light Co. to maintain a power plant in Cedar Rapids, a heating plant, and to operate a system of interurban railway lines. Ordinance 987 licenses and regulates hacks, cabs, omnibuses, carriages, taxicabs, automobiles, baggage wagons, drays and other vehicles kept for hire.

DUISBURG, Germany. Sammlung von Bekanntmachungen und Verordnungen der Stadt Duisburg. (Irregular). Jahrg. 2, no. 3. April–December, 1911. p. 49–67. 4°.

Contains text of a market ordinance, and of an ordinance regulating traffic.

LOUISVILLE, Ky. Ninth biennial compilation of general statutes of the City of Louisville. 1911. Published by authority of a resolution of the General Council approved January 18, 1912. 1000 p. 8°.

Child Welfare

See also below "Public Health" (Detroit), and "Statistics" (Halle a. S.).

BOSTON, Mass. Annual report (15th) of the Children's Institutions Department for 1911–12. 65 p. 8°.

Seven members constitute the board of managers, who report directly to the mayor. The children under the care of the board are classed as delinquent children cared for at the Suffolk School for Boys, boys committed as truants by the courts are cared for at the Parental School at West Roxbury, and dependent and neglected children of Boston boarded or placed free in families.

TRIESTE, Austria. Tabella statistica relativa ai civici giardini d'enfanzia di Trieste, 1910–11. f°.

City Planning

See also above "Administration in General" (Boston, Denver).

HARTFORD, Conn. A plan of the city of Hartford. Preliminary report by Carrére and Hastings to the Commission on the City Plan. 1912. 117 p., 5 maps, 11 plates. 8°.

Civic Improvement

ST. JOSEPH, Mo. Civic activities in city building. Compiled by Daniel Morton, M.D. Folder. 8°.

Suggestive list of problems and activities for the use of all agencies working for the advancement of civic and social welfare. Published by the St. Joseph Public Library.

Civil Service

CHATTANOOGA, TENN. Ordinance no. 1360 to prescribe rules and regulations governing the civil service of the city. Approved January 22, 1912. 11 p. 8°.

Commerce

See below "Statistics" (Boston, Duisburg, Düsseldorf, Königsberg).

BREMEN, Germany. Jahrbuch für Bremische statistik. Jahrgang 1911. Zur statistik des schiffs- und Warenverkehrs im Jahre 1911. Herausgegeben vom Bremischen statistischen amt. 1912. 375 p. 8°.

A detailed statement of the seaborne and railborne trade of Bremen. In an appendix is a table showing the marine insurance business of Bremen from 1847 to 1910; the character of the merchant marine of the Weser from 1847 to 1911, also the emigrants leaving by the port of Bremen during 1911 by nationality, age groups and sex, and, in detail, the destination. There is further a comparative table showing by destination aggregate emigration annually, 1904 to 1911, and a table of total emigration from 1832 to 1911 in 5-year groups.

The city of Bremen has issued this Jahrbuch in this form since 1875. Each year there are issued two statistical compilation, viz., the one above described and a general statistical volume. This Jahrbuch was preceded by an earlier series, entitled Jahrbuch für die amtliche statistik des Bremischen Staats, the first number of which was issued in 1867.

STOCKHOLM, Sweden. Stockholm stads statistik. xi. Handel och sjöfart. Berättelse Årgang 10, 1910. Stockholm, 1912. 22, 220 p. 4°.

Courts.

See below "Industrial and Commercial Courts."

Dance Halls

See above "Administration in General" (Milwaukee.

Debt

See also above "Administration in General" (Springfield).

MASSACHUSETTS. Report of the director of the Bureau of Statistics of a special investigation relative to the indebtedness of the cities and towns of the Commonwealth. April 15, 1912. 286 p. 8°.

Elections

See below "Statistics" (Boston).

Employment Bureaus

See also below "Statistics" (Chemnitz, Duisburg, Düsseldorf, Halle a. S., Königsberg, Munich).

STOCKHOLM, Sweden. Stockholm stads statistik. ix. Arbetsförmedling. Berättelse. Årgang 5, 1910. Stockholm, 1912. 60, 35 p., 2 diagrams. 4°.

Excess Condemnation

See above "Administration in General" (Boston), and below "Libraries" (Newark).

Factory Inspection

See below "Public Health" (Aberdeen).

Ferry Service

See above "Administration in General" (Boston).

Finance

See also above "Administration in General" (Centralia, Chattanooga, Springfield).

BLACKBURN, England. Abstract of the treasurer's accounts for the year ended 25th March, 1912. xxv, 289 p. 9 folding tables. 8°.

Among the municipal undertakings accounted for are abattoirs, cemetery, free library, gas department, gymnasium, markets, museums, parks, public baths, electricity supply, refuse destructors. Pages 275–286 comprise general statistics, viz., rating of the borough each year from 1891–92 to 1912–13, rateable value of various classes of property in the borough, each year, 1893–1912, income, expenditure and application of profits of markets, gas works and waterworks department each year 1900 to 1912, —— electricity department each year since establishment of the works, viz., 1894–1912, —— tramways department each year since transfer to the corporation, viz., 1899 to 1912.

BOSTON, Mass. Monthly statement of the city treasurer and of the treasurer of the board of commissioners of sinking funds. 1912, April–July.

GLASGOW, Scotland. Abstract statement of income and expenditure for year ended 31st May, 1912. 45 p. f°.

Pages 26–29 contain tables showing weekly traffic revenue 1894–1912. On p. 30 there are diagrammatic tables showing operating expenses, passengers carried, revenue per passenger, car mileage and revenue per car mile, in millions, each year, 1895 to 1912.

GREAT YARMOUTH, England. Abstract of the accounts of the treasurers for the year ended 31st March, 1912. 106 leaves.

At the end is a classified comparative statement of receipts and expenditures for the years 1894–1912.

NORFOLK, Va. An ordinance making appropriations for the fiscal year beginning July 1, 1912. 9 p. 8°.

RHODE ISLAND. First annual report on the statistics of municipal finances of the six cities and thirty-two towns in Rhode Island [for 1910]. 1911. 137 p. 8°.

ROVIGO, Italy. Bilancio di previsione per l'anno 1912. 1 folio folding sheet.

ST. PAUL, Minn. Annual report of the city comptroller for the fiscal year ended December 31, 1911. 122 p. 3 leaves, 3 folding tables.

Fire Service

See also above "Administration in General" (Boston, Denver, Munich, Springfield), and below

"Statistics" (Aachen, Berlin, Boston, Chemnitz, Coruña, Duisburg, Florence, Halle a. S., Johannesburg, Milan, Munich).

KANSAS CITY, Mo. Annual report of the board of fire and water commissioners for the year ending April 15, 1912. 132 (1) p. 4 charts. illus.

On p. 71–75 is the text of an ordinance equalizing and reducing meter rates and adjusting a monthly schedule. On p. 102 is a table showing total number of alarms, losses and insurance on property involved in each year 1881–1911.

Food and Drug Regulation

See also below "Public Health" (Aberdeen, Boston, Hartford), and "Statistics" (Buenos Aires, Coruña, Halle a. S., Munich).

COLUMBUS, O. Regulations of the board of health relative to meat. 1912. 24 p. 8°.

—— Regulations of the board of health relative to milk, cream and ice cream. 1912. 13 p. 8°.

Hospitals

See below "Statistics" (Berlin, Buenos Aires, Königsberg, Munich).

Housing

See also below "Statistics" (Munich).

EDINBURGH, Scotland. Annual report (14th) of the sanitary department for the year 1911. 63 p. f°.

David Rutherford, chief sanitary inspector. The work of the inspector is largely the maintenance of sanitary housing conditions.

Industrial and Commercial Courts

See below "Statistics" (Duisburg, Düsseldorf, Halle a. S., Königsberg, Munich). This material relates to the industrial and labor courts only.

Insurance

See also below "Statistics" (Berlin—invalidity, old age and sick insurance; Boston, Chemnitz—sick insurance; Duisburg—sick insurance; Düsseldorf, Halle a. S.—sick, invalidity and old age insurance; Königsberg—sick insurance; Munich).

BERLIN, Germany. Verwaltungsbericht des Magistrats zu Berlin für das Etatsjahr 1911. No. 28. Bericht der abteilung für Invalidenversicherung. 3 p. f°.

MUNICH, Germany. Bericht über die Münchener Krankenkassen für das Jahr 1911. 3 p. 4°.

Labor Conditions

See also above "Administration in General" (Munich,—wages of municipal laborers and continuous shorter workday or a split work day), and below "Statistics" (Aachen, Berlin, Boston—minors; Munich—arbitration bureau).

MUNICH, Germany. Die Arbeitslosenzählung in München und seiner Umgebung vom 11 Februar 1912. 30 p., 2 leaves. 4°.

Legal Aid Bureaus

See below "Statistics" (Chemnitz, Duisburg, Halle a. S.)

Libraries

See also below "Statistics" (Aachen, Boston, Chemnitz, Düsseldorf, Königsberg).

BERLIN, GERMANY. Verwaltungsbericht des Magistrats zu Berlin für das Etatsjahr 1911. No. 12. Bericht über die Verwaltung der Stadtbibliothek under der städtischen Volksbibliotheken und Lesehallen. 2 p. f°.

DANZIG, Germany. Bericht über die Verwaltung der Stadtbibliothek zu Danzig für das Verwaltungsjahr 1 April, 1911–12. n. t. p. 4p. 4°.

LOS ANGELES, Cal. Los Angeles Public Library. Twenty-fourth annual report. 1911–1912. 46 p. 8°.

NEWARK, N. J. The Newarker. Published monthly by the Free Public Library of Newark. v. 1, no. 6–9. 1912, April–July. p. 87–155.

No. 6 has an article on women and wages in New Jersey and one on excess condemnation—history by M. C. N[erny]. No. 9 has an article on incidental versus excess condemnation, containing extracts from an opinion written by John De Witt Warner for the guidance of the New York City Department of Docks.

ST. LOUIS, Mo. The St. Louis Public Library. An account of its work especially that done in the year ending April 30, 1912. p. 59–132. illus. 8°.

—— Annual report 1911–1912. 132 p. illus. 8°.

York, England. Nineteenth general report of the public library committee, 1911–1912. 16 p.

Light and Power Plants

See also above "Administration in General" (Boston), and below "Statistics" (Aachen, Berlin, Duisburg, Düsseldorf, Halle a. S., Johannesburg, Munich).

Deventer, Netherlands. Begrooting van de Gemeente-Gasfabrik voor 1912. 23 p. 8°.

Providence, R. I. Lighting contract and franchise agreement between the City of Providence and the Narragansett Electric Lighting Co. 1912. 56 p. 8°.

Rovigo, Italy. Officina comunale del gas di Rovigo. Previsioni per l'anno 1912. Anno 3. 7 p. f°.

United States Standards Bureau. Circular 32. State and municipal regulations for the quality, distribution and testing of illuminating gas. 1st edition. Issued April 1, 1912. 133 p. 4°.

Liquor Traffic

See above "Administration in General" (Springfield), and below "Statistics" (Königsberg).

Lodging House Inspection

See below "Public Health" (Aberdeen).

Markets

See also above "Administration in General (Denver, Houston, Munich), Charters and Ordinances (Duisburg), and below "Public Health" (Colorado Springs), "Statistics" (Duisburg, Düsseldorf, Florence, Halle a. S., Johannesburg, Königsberg, Milan, Munich).

Berlin, Germany. Preis-Zusammenstellungen des statistischen Amts der Stadt Berlin. A. Städtischer Vieh- und Schlachthof. B. Städtische Markthallen. 1912. 1–6. January–June. f°.

Budapest. Vásárcsarnokainak évkönyue az 1910 évről. Tizennegyedik év. 1911. vi, 183 p. 4°.

The 14th annual report of the public markets of Budapest for 1910.

Munich, Germany. Viktualienmarkt-Ordnung. April 15, 1912. 7 p. 4°.

[1] An ordinance regulating the public market for the retail sale of food stuffs

Meat Inspection

See also below "Public Health" (Cincinnati, Milwaukee), and "Statistics" (Boston, Buenos Aires, Chemnitz).

Melvin (A. D.) State and municipal meat inspection and municipal slaughter houses. 1912. p. 24–254, 1 plan. (United States. Bureau of Animal Industry. Circular 185.)

Milk Supply

See also above "Administration in General" (Boston), and below "Public Health" (Aberdeen, Cincinnati, Colorado Springs, Detroit, Milwaukee), and "Statistics" (Halle a. S., Munich).

New York Milk Committee. Infant mortality and milk stations. Special report of the committee for the reduction of infant mortality of the New York milk committee. 1912. xi, 176 p. illus. diagrams. 4°.

The purpose of this report is to make available to every one having an interest in the campaign against infant mortality, the information acquired by the committee during the summer of 1911, when it undertook a demonstration to determine the value of infants' milk stations as a means of reducing that mortality. The report is very thorough, and would be extremely useful wherever a pure milk campaign is to be waged. Copies may be requested of the committee 105 East 22d Street, New York City.

Moving Pictures

See above "Administration in General" (Milwaukee), and below "Police" (Chicago).

Municipal Accounting

United States. Census Bureau. Uniform accounts as a basis for standard forms for reporting financial and other statistics of [municipal] health departments. By L. G. Powers. 1912. 16 p. 8°.

Municipal Exhibits

See above "Administration in General" (Boston—refers to the New York City budget exhibit).

Municipal Lodging Houses

Budapest. Das Volkshotel im vi Bezirk der Haupt- u. Residenzstadt Budapest. 1912. 23 p. 16 plates. 8°.

By Dr. E. Ferenczi, social welfare adviser to the city.

ST. LOUIS, Missouri. Public Library. Monthly bulletin n. s. v. 10 no. 7. July, 1912. Municipal reference number. Municipal lodging houses. p. 325–348. 8°.

Municipal Pageants, etc.

See above "Administration in General" (Denver).

Municipal Pawnshops

See above "Charters and Ordinances" (Aachen), and below "Statistics" (Chemnitz, Duisburg, Düsseldorf, Halle a. S., Königsberg, Munich).

Municipal Savings Banks

See below "Statistics" (Aachen, Berlin, Chemnitz, Duisburg, Düsseldorf, Halle, a. S., Königsberg, Munich).

Municipal Theaters

See above "Charters and Ordinances" (Caen).

Museums and Art Galleries

See below "Statistics" (Aachen, Boston, Düsseldorf, Florence).

Parks

See also above "Administration in General" (Boston, Chattanooga, Denver, Springfield).

KANSAS CITY, Mo. Special report for the Blue Valley Parkway. Board of park commissioners. March, 1912. 46 p., 7 plates, illus. 4 maps.

LOS ANGELES, Cal. Park Commission. Silver Lake Parkway. A brief discussion of the proposed Silver Lake Parkway and its relation to a park and boulevard system for Los Angeles. February, 1912. 11 p.

Peddlers

See above "Administration in General" (Munich).

Pensions

See above "Charters and Ordinances" (Aachen).

Playgrounds

See above "Administration in General" (Denver, Milwaukee).

Plumbing Inspection

See below "Public Health" (Colorado Springs Hartford).

Police

See also above "Administration in General" (Springfield), and below "Statistics" (Boston, Coruña, Florence).

CHICAGO, Ill. Final report of the Civil Service Commission. Police investigation 1911–1912. 54 pp., 3 leaves. 8°.

Inquiry conducted by authority of the mayor September 5, 1911 to March 7, 1912. Details of vice investigation, departmental analysis, reorganization plan.

——Report of the general superintendent of police for the year ending December 31, 1911. 132 p., 1 leaf, 3 folding tables. 8°.

Contains report of moving picture bureau.

NEW YORK CITY. Annual parade and review of the New York Police Department, May 18, 1912. Official programme. 20 leaves, 2 plates. obl. 8°.

The last 2 leaves comprise a summary history of the New York City police department, 1653–1912.

—— Report on an examination of the surgical division of the police department, May 17, 1912. Office of Commissioner of Accounts, New York City. 16 p. 12°.

Poor

See also above "Administration in General" (Munich), "Statistics" (Berlin, Düsseldorf, Munich).

MANNHEIM, Germany. Jahrbuch für die Verwaltung der städtischen Armen- und waisenpflege in Mannheim. Jahrg. 13. 1912. 119 p. 8°.

Port Development

BOSTON, Mass. [Statement of the directors of the port of Boston recommending legislation for the public control of the water front, piers and railroad connections used for commercial purposes.] April 12, 1912. 7 p. 8°.

Senate Doc. 465, 1912. The total assessed valuation of the property proposed to be taken over is $17,697,000.

—— [Reply of the directors of the port of Boston to the order of the General Court calling for more specific information supporting the director's claim for the need of a dry dock in Boston.] May 14, 1912. 6 p. 8°.

Senate Doc. 514, 1912. Docking rates for some foreign and large American cities are tabulated.

New York State. A preliminary report of the New York State Commission to investigate port conditions and pier extensions in New York harbor. July 22, 1912. 2 leaves, 1 folding map. f°.

Public Baths

See also above "Charters and Ordinances" (Aachen —baths in school houses) and below "Statistics" (Berlin, Boston, Florence, Munich).

Budapest. Internationale Hygiene-Ausstellung. Dresden 1911. Die städtischen thermalbäder von Budapest. Artesisches Bad, Blocksbad, Bruckbad. 4 leaves. 8°.

With illustrations of the handsome new baths of Budapest.

New York City. Public baths under the supervision of the President of the Borough of Manhattan. 1912. 18 p. 1 plate, illus. 8°.

Twelve free public interior baths and eleven free floating baths were maintained during 1911. The total patronage of the interior baths for 1911 was 3,581,846. The total cost was $336,503.51 (operation $106,674.80; maintenance $122,940.14.) The total patronage of the floating baths was 1,818,721 and the total cost was $42,334.17 (operation $28,134.56; maintenance $14,199.61.)

Public Charities

Hartford, Conn. Sixteenth annual report of the board of charity commissioners for the year ended April 1, 1912. 39(1) p. 3 plates. 8°.

The city maintains an almshouse, a city hospital and a home and infirmary for children erected in 1911.

On the last page is a summary of appropriations by fiscal years commencing with the establishment of the board in 1896 and ending with 1912; also, a summary of disbursements for almshouse, hospitals, asylums and other accounts, amounts recovered from the state and the net cost for the care of the poor and infirm.

Public Health and Vital Statistics

See also above "Administration in General" (Milwaukee, Springfield), and below "Statistics" (Aachen, Berlin, Coruña, Duisburg, Düsseldorf, Florence, Johannesburg, Königsberg, Milan, Munich).

Aberdeen, Scotland. Reports [monthly] by the medical officer of health and the sanitary inspector, January–June, 1912.

Vital statistics of the city and of the City Hospital. The sanitary inspector inspects food stuffs, factories and workshops, bakehouses, dwellings, lodging-houses and dairies.

Amsterdam, Netherlands. Communications statistiques. No. 33. Statistique démographique des grandes villes du monde pendant les années 1880–1909; 1re partie. Europe. Publiée à l'occasion de la xiiie session de l'Institut International de Statistique à la Haye, September, 1911. xiii, 269 p. 8°.

Population, marriages, births and deaths for each year 1880–1909 in the larger cities of Europe (i.e., 97 in number); births by legitimacy and sex; infant mortality; deaths by causes. The table on infant mortality shows deaths under one year and still births in numbers and percentages. An appendix to this table contains a summary of regulations relating to birth certificates in the different countries. A second volume is in preparation which will contain, in addition to statistics as above for extra-European cities, returns illustrating demologic phenomena of urban communities.

Auburn, N. Y. Report of the health department (monthly). 1912, April–July.

Chiefly vital statistics and sanitation.

Besançon, France. Statistique démographique et médicale. Année 22. no. 7–14. 1912, April–July.

Boston, Mass. Monthly bulletin of the health department. v. 1, no. 3–4. 1912. March–April. p. 57–99.

No. 3 contains an article by Prof. James O. Jordan, inspector of milk and vinegar of the Boston Health Board on Vinegar and Vinegar Laws. It contains the text of a proposed law to prevent vinegar adulteration.

Cincinnati, O. Weekly report of the board of health. v. 3, no. 18–38. 1912, March 30–August 27. 8°.

Vital statistics, sanitary, meat and milk inspections.

Colorado Springs, Colo. Report of the health department. (Monthly). 1912, January–June. 8°.

Contents are always the same, viz.: Contagious diseases. Sanitation. Plumbing inspection. City dump. City scavenger. Report of market master.

Report of chemist and bacteriologist. Milk analysis. Cream analysis. Deaths. Births. Fumigations.

COPENHAGEN, Denmark. Ugentlig oversigt over födsler, sygdomme og dödsfold i Kobenhavn (weekly). Aargang 37. no. 1–32. 1912, January 6–August 10. 4°.

Contents are always the same, viz.: 1. Meteorological observations. 2. Births and deaths. 3. Births and deaths for the preceding 13 months. 4. Principal zymotic diseases for preceding 53 weeks. 5. Epidemic and contagious diseases. 6. Deaths of the week by cause, age and sex. 7. Epizootic diseases. 8. Deaths from epidemic causes in principal cities of the world for the week of latest advise.

DETROIT, Mich. Bulletin of the Detroit board of health. v. 2, 7–12. 1912, January-June. v. 3, no. 1. 1912, July.

Vital statistics, sanitary inspections, laboratory, school nurses, tuberculosis clinic, mothers' clinic, etc. V. 2, no. 2, contains a comparison of the cost of the health departments and the milk inspection of Pittsburgh, Cleveland, Chicago, Cincinnati and Detroit. V. 2, No. 10 has an account of operations under the ordinance granting an appropriation for the elimination of the fly nuisance.

EDINBURGH, Scotland. Annual report of the public health department for 1911. x, 86 p. f°.

Dr. A. Maxwell Williamson, medical officer of health. Comment on declining birthrate of Edinburgh; inference is that factor of emigration has influenced young adult population and disturbed course of natural increase. Improved housing conditions of Edinburgh are referred to. There are 6877 houses of one apartment inhabited by 18,608 persons. Two-roomed houses number 22,031.

The report is divided into 2 parts, the first part containing vital statistics and the second reports relating to meat inspection, inspection of cow byres, dairies, ice-cream shops, workshops, bakehouses and hairdressing saloons, and the administration of the shop hours, seats for shop assistants, and food and drug act.

HARTFORD, Conn. Vital statistics. Issued monthly by the health department. 1912, April–May.

Contents are always the same, viz.: Mortality and causes. Bacteriologist's report. Milk inspection. Contagious diseases. School inspections and exclusions. Sanitary report. Plumbing inspection. Food inspection. Meteorological observations.

LEICESTER, England. Sixty-third annual report upon the health of Leicester for the year 1911. 165 p. 1 map. 3 charts. 8°.

C. Killick Millard, medical officer of health. Contains reports on municipal infant's milk depot, opened July, 1906, on the isolation hospital, on the opening during the year of a municipal tuberculosis dispensary, on food inspection and reports of the refuse and street cleaning departments.

MILWAUKEE, Wis. The Healthologist. Published monthly by the health department. v. 2, no. 4–7. 1912, April–July.

Vital statistics, sanitation and child hygiene. The Healthologist is made up for campaign purposes. Each number closes with the Bulletin of the Bureau of Vital Statistics (births, marriages, deaths, interments, contagious diseases, meat inspection, bacteriological examinations, accidents, sanitary inspections, milk inspections).

MUNICH, Germany. Amtsärztlicher Bericht auf Grund der schulärztlichen Berichte für das Schuljahr 1910–11. 10 p. 4°.

NEW HAVEN, Conn. Monthly statement of mortality. 1912, January–July.

NEW ORLEANS, La. Statement of mortality. (Monthly). 1912, April–July.

Public Works

BOSTON, Mass. Address of street commissioner James A. Gallivan at the second session of the National Conference on City Planning, Tuesday May 28, 1912. 10 p. 8°.

Financing local improvements by assessment, excess condemnation, zone system of assessments.

CHICAGO, ILL. Proceedings of the board of trustees of the sanitary district of Chicago. 1912, January–July. 768 p.

NEW YORK CITY. A report on a special investigation of the initiation of public improvements in the office of the President of the Borough of Richmond, city of New York, June 3, 1912. Office of the Commissioner of Accounts, city of New York. 11 p. 12°.

PITTSBURGH, Pa. Report of the flood commission. April 16, 1912. 9 p.l., 252 (1), 452 p., 4 maps, plates. illus.

The Pittsburgh Flood Commission was organized on February 20, 1908, pursuant to a resolution adopted by the Chamber of Commerce of Pittsburgh. The report contains the results of the surveys and in-

vestigations and studies made by the commission for the purpose of determining the causes of damage by and methods of relief from floods in the Allegheny, Monongahela and Ohio Rivers at Pittsburgh, together with the benefits to navigation, sanitation water supply and water power to be obtained by river regulation. There is also a very full bibliography, the work of the Technology Department of the Carnegie Library of Pittsburgh.

WALTHAM, Mass. Annual reports of the city engineer, superintendent of sewers, and board of survey for the year ending January 31, 1912. 27 p. 8°.

This is the third report which the board of survey has made. This board is in effect a street planning authority, more particularly in relation to private ways. The constitution of a city planning commission is urged by the city engineer.

Refuse Disposal

See also above "Public Health" (Colorado Springs), and below "Statistics" (Munich).

Sanitation

See also above "Public Health" (Auburn, Cincinnati, Colorado Springs, Detroit, Hartford, Milwaukee), and below "Statistics" (Boston, Coruña, Florence, Johannesburg, Milan.)

CHICAGO, Ill. Bulletin Chicago School of Sanitary Instruction. Department of health (weekly). v. 6 (new series), no. 17–33. 1912, April 27–August 17. Whole no. 746–762. p. 65–132.

School Hygiene

See above "Public Health" (Detroit—school nurses; Hartford—school inspection).

Schools

See also above "Administration in General" (Munich—defective children; Springfield), and below "Statistics" (Aachen, Amsterdam, Boston, Düsseldorf).

BOSTON, Mass. School documents, 1911. no. 1-2, 5.

No. 1. Financial report of the school committee for the year ending Jan. 31, 1912. 97 p., 4 folding tables. No. 2. Course of study for the High School of Commerce. 11 p. No. 5. Candidates eligible for appointment as teachers, July 1912. 51 p.

NEW YORK CITY. Report of the school enquiry committee. (New York City. City Record. August 13, 1912. pp. 6739–6754.)

Includes report of Charles G. Armstrong, consulting engineer upon the condition of 56 school buildings.

Sewerage

See above "Administration in General" (Boston, Springfield) and below "Statistics" (Berlin, Königsberg).

Sign Boards

See above "Bill Boards."

Social Evil

See below "Statistics" (Buenos Aires).

Statistics

See also above "Administration in General" (Chattanooga).

AACHEN, Germany. Statistische Monatsberichte der Stadt Aachen. Jahrg. 11. no. 1–6. 1912, January–June.

The contents are always the same, viz. 1. Movement of population. 2. Public health. 3. Labor conditions. 4. Care of the poor. 5. Municipal savings bank. 6. Food stuffs, light and power plant. 7. Fire service. 8. Schools, libraries, museums and art galleries. 9. Building operations. 10. Meteorological notes.

AMSTERDAM, Netherlands. Statistische Mededeelingen uitgegeven door het Bureau van Statistick der gemeente Amsterdam. no. 36. Openbaar en bijzonder onderwijs te Amsterdam 1908–10. 1912. iii. 4 p. 4°.

BERLIN, Germany. Monatsberichte des statistischen Amts der Stadt Berlin. Jahrg. 40. no. 1–6. 1912, January–June. f°.

The contents are always classified uniformly as follows: I. Climate, ground temperature and state of the river Spree. II. Marriages, births, deaths, legitimations, arrivals and departures of strangers, contagious diseases. III. Statistical returns from the various municipal departments, viz. 1. Building permits. 2. Building alterations. 3. Dwelling-house alterations. 4. Completed buildings. 5. Fire service. 6. Realty transfers. 7. Drinking water supply. 8. Street cleaning. 9. Sewerage. 10. Municipal electric works. 11. Traffic conditions. 12. Transients in hotels and lodging houses and their nativity. 13. Public meetings (the number authorized, policed and broken up, resp.). 14. Public baths. 15. Municipal abattoir. 16. Municipal disinfecting plant. 17. Municipal savings bank. 18. Invalidity and old age insurance. 19. Membership, by trades, of compulsory and voluntary sick insurance. 20. Workhouse. 21. Homeless. 22. Beggars. 23. Population of city asylums and hospitals. 24.

Care of the poor. 25. Orphans. 26. Dependent and delinquent children. 27. Larger hospitals of Berlin. 28. Care of the insane. 29. Hospitals for contagious diseases. 30. Municipal refuges. 31. Labor conditions. 32. Mass meetings. 33. Occupational and industrial tax. 34. Municipal food inspections.

—— Wochenberichte des statistischen Ants der Stadt Berlin. Jahrg. 41. 1912. no. 14–29. Week beginning March 31 to July 20.

Vital statistics only.

Boston, Mass. Monthly bulletin of the statistics department, October–December, 1911. v. 13, no. 10–12. p. 127–168. 4°.

1. Meteorological observations. 2. Movement of population. 3. Cremations. 4. Interments. 5. Buildings permits issued. 6. Movement of institutions population. 7. Immigration statistics. 8. Fires, insurance and losses. 9. Health department. (Bureau of cattle inspection. Buildings ordered vacated or demolished. Bureau of milk inspection. Bureau of disinfection. Bureau of sanitary inspection.) 10. Library. 11. Realty transfers and mortgages. 12. Employment certificates issued by school board. 13. Police department. 14. Public schools. 15. Coal statistics. 16. Public baths. 17. National bank statistics. 18. Commercial statistics, Port of Boston (Number and tonnage of foreign vessels. Value of imports and exports. Number and tonnage of coastwise vessels). 19. Receipts of fish. 20. Statistics relating to flour supply. 21. Museum of Fine Arts. Appendix. Summary tables for 1911. Comparative interest in referenda and election contests, 1890–1911.

Buenos Aires, City. Monthly bulletin of municipal statistics. 26th year. no. 1–4. 1912, January–April. f°.

Contents are always the same, viz.: Meteorology and hygiene. Migration of population (i.e., arrivals and departures of vessels and passengers, immigration and emigration, the immigrants classified by nationalities). Hospitals, etc., i.e., movement of population of hospitals, homes, lunatic asylums and night shelters, and registry of prostitutes. Vital statistics. Food and kindred products (i.e., operations at the slaughter houses, superintendence of markets, sanitary inspection of food and animals at points of arrival, municipal chemical laboratory, bakeshops). Prisons. Police statistics. Economy (i.e., sales of landed estates, mortgages, nationality of sellers and buyers of the former, and of mortgagors and mortgagees).

Chemnitz, Germany. Monatliche Mitteilungen des statistischen Amts der Stadt Chemnitz. Jahrg. 9, no. 11–12. 1912, January Jahrg. 10, no. 1–3. February–April.

Contents are always the same, viz. 1. Movement of population. 2. Arrivals and departures of transients. 3. Marriages and divorces. 4. Births and deaths. 5. Sickness. 6. Ambulance service. 7. Meteorological observations. 8. Water consumption. 9. Building operations. 10. Chemical laboratory. 11. Meat inspection. 12. Street railway traffic. 13. Municipal savings bank. 14. Municipal pawnshop. 15. Fires. 16. Municipal legal aid bureau. 17. Labor bureau. 18. Sick insurance. 19. Libraries.

Coruña, Spain. Estadistica demografico sanitaria. Año 10, num. 103–107. 1912, January–May. 4°.

Contents are always the same, viz.: Meteorology. Vital statistics. Hospitals. Disinfecting plant. Sanitary inspection. Vaccination. Consumption of meat. Food inspection. Police. Street inspection. Fire service. Cemeteries. Prices of food stuffs. Anti-tuberculosis dispensary. Contagious diseases. Maritime sanitation.

These numbers are issued together with the Boletin del ayuntamiento, for which see above under "Administration in General.

Duisburg, Germany. Statistische Monatsberichte. Jahrg. 5, no. 1–4. 1912, January–April.

Contents are always the same, viz.: 1. Movement of population. 2. Health and public safety (contagious diseases, city disinfecting plant, hospitals, baths, chemical laboratory, accidents, fires). 3. Poor (numbers assisted and cause of dependence, homeless). 4. Welfare service (legal aid bureau, labor bureau, industrial court, commercial court, sick insurance). 5. Libraries. 6. Freight traffic (railway, harbor, bridge and ferry). 7. Food stuff supply (abattoir and cattle markets, wholesale prices of meat and grains, retail prices of meats, eggs, butter, etc., gas, water and electric light supply. 8. City credit institutions (savings bank, pawnshop). 9. Building permits. 10. Meteorological observations

Düsseldorf, Germany. Statistische Monatsberichte der Stadt Düsseldorf (bi-monthly). Jahrg. 11, no. 1–6. 1912, January–March.

The two numbers of each month are designated respectively edition A and B. The contents of the numbers are always the same, viz.: Edition A: 1. Movement of population. 2. Health and public safety (baths, chemical laboratory, accidents, fires). 3. Traffic, part 1 (street railways, railway freight, harbors, city warehouse). 4. River and groundwater gauges. 5. Food stuffs, light and power supply (cattle market and abattoir, retail prices of food stuffs, city gas and water works and electric light

plant). 6. Labor conditions (labor bureau). 7. City credit institutions (savings bank, pawnshop, mortgage bureau). 8. Meteorological observations. 9. Building permits. Edition B: 1. Health and public safety, part 2 (hospitals, maternity homes). 2. Traffic, part 2 (bridge and ferry, narrow gauge passenger and freight). 3. Labor conditions (sick insurance, etc., industrial and commercial court, labor and domestic service registrations, municipal laborers). 4. Light and power supply, part 2 (city gas and water works and electric light plant). 5. Poor (numbers assisted, shelter for the homeless). 6. Schools, libraries and museums. 7. Stocks and bonds

FLORENCE, Italy. Bolletino statistico mensile del comune di Firenze. 1912, no. 3–6. March–June. f°.

Contents are always the same, viz.: Meteorological observations. Movement of population. Births. Deaths. Marriages. Migration of population. Charities. Criminal statistics. Disinfecting plant. Police. Museums. Baths. Fire service. Cemeteries. Tram and bus traffic. Causes of death. Laboratory. Vaccination. Veterinary service. Sanitary inspection. Contagious diseases. Prices of food stuffs.

HALLE A. S., Germany. Statistische Monatsberichte. Herausgegeben vom statistischen Amt. Jahrg. 6, no. 3–6. 1912, March–June.

Contents are always the same with the exception of the supplement, which changes with every number, viz.: Meteorological observations. Statistics of population. Movement and migration of population. Industrial statistics (realty transfers, building operations, retail prices, wholesale prices). Social statistics (sick insurance, invalidity and old age insurance, employment bureau, wages of municipal laborers). Administrative statistics (poor, public wards, libraries, legal aid bureau, city infants and children's homes, milk kitchen, commercial and industrial courts, food inspection, shelter for the homeless). Municipal undertakings (cattle market and abattoir, gas works, water works, electricity plant, savings bank, pawnshop, fire service, street railways). The supplements to the various numbers are as follows: No. 3. Transients in Halle. No. 4. Census of unoccupied dwellings, May 1, 1912. No. 5. Effect on the city of the removal of manufacturing plants to the suburbs. No. 6. Social survey of the population of Halle.

JOHANNESBURG, Transvaal. Municipal statistics (monthly). 1912, April–June.

Contents are always the same viz.: 1. Deaths with causes, births, burials. 2. Buildings. 3. Electricity and gas supply department. 4. Municipal tramways. 5. Fires. 6. Water. 7. Native wages. 8. Sanitary service. 9. Weights and measures. 10. Livestock market. 11–12. Municipal abattoirs.

KONIGSBERG i. Pr. Monatsberichte des statistischen Amtes der Stadt. Jahrg. 20. 1912, March–April.

Contents are always the same, viz.: 1. Meteorological observations. 2. Population (comparative, by months, for preceding 9 years). 3. Movement of population. 4. Births (sex, condition and legitimacy). 5. Marriages. 6. Deaths. 7. Migration of population. 8. Reported cases of illness. 9. Hospital. 10. Abattoir. 11. Wholesale prices of meat. 12. Retail prices of principal food stuffs. 13. Municipal water works. 14. Municipal pawnshop. 15. Savings bank. 16. Poorhouse. 17. Sewerage. 18. Municipal electric trams. 19. Libraries. 20. New industries. 21. Employment bureau. 22. Sick insurance. 23. Reading rooms. 24. Commercial and industrial court. 25. Saloons. 26. Railway freight traffic. 27–29. Harbor traffic.

MILAN, Italy. Bollettino statistico mensile. Anno 28. 1912, March–June.

Sanitary inspection, vital statistics, abattoirs, price of food stuffs, charities, building construction, fires, trams. Includes also a summary of council minutes.

MONTEVIDEO, Uruguay. Boletin mensual de Estadistica municipal. Año 10. no. 101–105. 1912, January–May.

MUNICH, Germany. Wochenberichte des statistischen Amtes der Stadt. 1912, no. 15–30. Week beginning April 7–July 27.

Contents are always the same, viz.: 1. Deaths by causes. 2. Births and deaths for past 12 weeks. 3. Arrivals in the larger hospitals. 4. Applications and withdrawals from the local sick insurance bureau. 5. Prices of food stuffs. 6. Wholesale prices for fruit and vegetables. 7. Warehouse. 8. Cattle market and abattoir. 9. Prices for cattle. 10. Climatic conditions.

—— Statistischer Monatsbericht der Stadt. 1912, March–May.

Contents are always the same, viz.: 1. Meteorological observations. 2–5. Movement of population. 6. Marriages. 7–8. Hospitals. 9. Red Cross and other sanitary and rescue services. 10. Burials. 11–13. Cattle market and prices. 14. Warehouse. 15. Milk supply. 16–18. Prices of food stuffs. 19 Food stuff inspection. 20. Municipal baths. 21. Water supply. 22. Municipal gas works. 23. Municipal electric plant. 24. Building inspection. 25. Building construction. 26. Realty transfers. 27. Municipal housing bureau. 28. Coal supply. 29. Stocks and bonds. 30. Municipal savings bank. 31. Municipal pawnshop. 32–33. Sick and accident insurance. 34. Municipal labor bureau. 35. Municipal arbitration bureau. 36. Industrial court. 37. Commercial court. 38. Public poor relief. 39.

Movement of transients. 40. Sunday and holiday traffic. 41. Fire service. 42. Lighting conductor inspection. 43. Domestic refuse removal. 44. Prices of milk in the larger Bavarian and in some non-Bavarian cities.

Street Railways

See also above "Statistics" (Chemnitz, Halle a. S., Johannesburg, Königsberg, Milan).

CHICAGO, Ill. Passenger subways for Chicago. Synopsis of an address to the Irish Fellowship, March 2, 1912, by Mr. John Ericson, chairman of the Harbor and Subway Commission, Chicago. 16 p. 8°.

—— Report of the Harbor and Subway Commission on an independent system of subways. February 1912. 7 p. 4°.

FREIBURG I. Br., Germany. Vorlage des Stadtrats an den Bürgerausschuss vom 1 Juli, 1912, über den ausbau der elektrischen Strassenbahn. 34 p, 2 leaves, 8 maps. 4°.

Streets

See also above "Administration in General" (Boston—cost of repaving; Denver—lampost signs, Springfield) also "Statistics" (Berlin—cleaning; Coruña).

HARTFORD, Conn. Fortieth annual report of the board of Street Commissioners for the year ending March 31, 1912. 60 p. 8°.

Hartford appropriated for the fiscal year mentioned the sum of $452,229 for the work of the street department. The commission cleans, lights and sprinkles the streets as well as repairs them. It also contracts for the removal of garbage and waste, and it maintains a forestry bureau and a nursery. The garbage contract expires June 1, 1913, and it is the intention to have the removal of waste undertaken by the street department. Meanwhile the superintendent proposes thoroughly to study the subject of waste collection and removal, and anticipates that it may be necessary to call in the services of an expert to report on a proper method.

Taxation

See also above "Administration in General" (Berlin—unearned increment tax; Boston—liability of collector), and below "Statistics" (Berlin—occupational and industrial).

ELBERFELD, Germany. Statistisches Amt. Die Gemeindesteuern des Jahres 1911 in den preussischen Grossstädten, den selbstständigen rheinish-westfälischen Stadtkreisen und den übrigen Kreisfreien städten Preussens. 11 Fortsetzung. 12 p. f°.

A very useful compilation relating to Prussian municipal taxes. It is divided into two parts, viz.: direct and indirect taxes. In the former are included grund- und Gebäude steuer, Steuer vom Gewerbetrieb, Betriebssteuer and Warenhaussteuer. In the latter are included Wirtschaftskonzessionssteuer, Umsatzsteuer; Wertzuwachssteuer, Biersteuer, Hunde- und Pferdesteuer and Lustbarkeitssteuer.

NEW YORK CITY. Department of taxes and assessments. Report for the year ending March 31, 1912. (City Record, August 2, 1912. p. 6379–6393.)

Nominally a report for the preceding quarter, it contains a summary of the operations of the preceding year.

NORFOLK, Va. An ordinance imposing taxes on property, persons and licenses for the payment of interest on the city debt and to meet the general appropriations for the year beginning July 1, 1912. 56 p. 8°.

Telephone Service

See above "Administration in General" (Denver—rates).

Traffic Regulation

See above "Administration in General" (Denver—regulation), "Charters and Ordinances" (Aachen—taxicab; Cedar Rapids—public vehicles; Duisburg), "Statistics" (Berlin, Düsseldorf, Munich—Sunday and holiday).

Tuberculosis Eradication

See also above "Public Health" (Detroit), "Statistics" (Coruña).

FLORENCE, Italy. La mortalità per tuberculosi a Firenze nel quinquennio 1907–1911. Communicazione al vii congresso Internationale per la lotta contro la Tuberculosi in Roma il 14–20 April, 1912. 45 p., 1 leaf, 4 plates. 8°.

Vocational Training

See above "Administration in General" (Berlin).

Warehousing

See above "Statistics" (Düsseldorf, Munich).

Water Supply

See above "Administration in General" (Milwaukee, Springfield), and "Fire Service" (Kansas City), also "Statistics" (Berlin Johannesburg, Königsberg, Munich).

BANGOR, Me. Thirty-seventh annual report of the Bangor water board for the municipal year 1911–12. 62 p., 9 folding tables. 8°.

CANADA. Marine and Fisheries Department. Papers relating to the application of the Sanitary District of Chicago for permission to divert 10,000 cubic feet of water per second from Lake Michigan. Ottawa, 1912. xviii, 270 p. 2 charts. 8°.

At a hearing before the Secretary of War, U. S. A., on March 27, 1912, the Government of Canada submitted briefs and an argument in opposition to the application of the Sanitary District.

FRANCE. Caisse Nationale des Recherches Scientifiques. Recherches sur l'epuration biologique et chimique des eaux d'égout effectuées à l'Institut Pasteur de Lille et à la Station Expérimentale de la Madeleine. Par A. Calmette et E. Rolants. 7e volume. Paris, 1912. 357 p., 1 leaf, 2 plates. 14 graphic charts. 20 illustr. 8°.

Chapters on pollution of the sea by waste waters of N. Y. City; progress of purification in France (Lille and Toulon), in Great Britain (London, Bushey, Frome, Guilford, Leeds, Leigh on Sea, Manchester, Mowbray, Northampton, Prescot), in Germany (Blankenburg, Bochum, Elberfeld, Erfurt, Essen, Halberstadt, Hannover, Cassel, Mühlhausen i. Th., Quedlinburg, Chemnitz, Düsseldorf, Elbing, Pasen, Rheydt, Wilmersdorf), in America (Boston, Philadelphia, Reading). The greater part of the volume is taken up with a consideration of the various processes of purification.

GLEN FALLS, N. Y. Fourth annual report of the board of water commissioners for the year ended March 1, 1912. 39 p. 8°.

On p. 32 is a table showing yearly water rent receipts 1875 to 1912.

HOUSTON, Texas. Annual report of the water department for the year ending February 29, 1912. 57 (1) p., 2 leaves, 4 plates, 1 map. 8°.

NEW BRITAIN, Conn. Fifty-fifth annual report of the board of water commissioners for the year ending March 31, 1912. 21 p. 8°.

Pages 20–21 comprise a table showing annual receipts from water rents from 1858 to 1911 inclusive.

ROCKFORD, Ill. Report on the enlargement and extension of the water supply and distribution system of the city of Rockford. By J. W. Alvord, D. H. Maury and D. W. Mead, water supply commissioners. 1911. 107 (1) p. 8°.

UNITED STATES Hygienic Laboratory. Bulletin 83. Sewage pollution of interstate and international waters. By Allan J. McLaughlin. 1912. 296 p. 91 charts. 39 maps. 8°.

Typhoid fever in American cities, polluted water supplies; sewage disposal; comparative economy of water purification and sewage purification; safe water supplies by filtration or treatment. The sewer systems and water works and the prevalence of typhoid in 73 American cities affected by the waters of the Great Lakes are studied.

SEVENTEENTH ANNUAL MEETING

OF THE

NATIONAL MUNICIPAL LEAGUE

Held at Richmond, Virginia,

November 13, 14, 15 and 16, 1911

Monday Evening Session

Monday, November 13, 1911, 8.30 o'clock p.m.—The first session of the meeting was held in the auditorium of the Hotel Jefferson, Richmond, Va., Honorable Walter L. Fisher, secretary of the interior, presiding, who introduced Mayor D. C. Richardson, of Richmond, as the first speaker. Mayor Richardson after giving an interesting outline of the form of Richmond's government and after a hearty welcome he concluded by saying:

"The people of Richmond are progressive but conservative, and they are not disposed to adopt any measure which is a wide departure from our former government without mature consideration. But we are people of receptive minds, and desire all the light possible on the important question of municipal government. We desire to hold fast to that which is good, but at the same time we are anxious to adopt all measures that will promote the progress of our city and the happiness of our people."

Chairman Fisher: There are three things which I think the league is to be congratulated upon. First, the growing recognition of the work of the league and the important place that it is filling in the progress of the municipalities of this country. The work which it has done in city charter-making, in municipal accounting, in the various matters that relate to municipal grants and franchises, the numerous papers and discussions which it has published and which have had a widespread distribution throughout the country, have undoubtedly a real, substantial effect upon the movement of which this league is so large an organized part.

The second thing that I desire to congratulate the league upon is the unquestioned success that is attending the movement to improve municipal conditions in the United States. There can no longer be any doubt but that we are making substantial progress. It is no longer the fashion to call attention throughout the country to municipal corruption and inefficiency in the way that was so universal a short while ago. Of course we are far from having achieved perfection, or even that degree of success, which members of this body hold is so easily attained. At the same time, there is no question but that certain matters in our government are being brought forward to public attention, as being more immediately necessary to receive that attention, as more immediately needing it; and that fact itself, I think, marks the substantial advance which all students recognize to have occurred in this country within a very short period of years.

The third thing I wish to congratulate the league upon is that it has at this time as its president a man who is so well versed in the matters which are the objects of its endeavors, and I take great pleasure in introducing to you your president, William Dudley Foulke, of Richmond, Indiana.

[Mr. Foulke's presidential address is published in the National Municipal Review, under the caption "An Effective Municipal Government."]

Chairman Fisher: I do not know that it will help to explain the problem which President Foulke has been dis-

cussing this evening, but perhaps it will interest him and you, as it has me, to know that Dr. Adickes, the Oberburgermeister of Frankfort, is a member in regular and ordinary standing of the National Municipal League.

Tuesday Morning Session

Tuesday, November 14, 1911, 9:00 o'clock a.m.

Honorable Charles J. Bonaparte, of Baltimore, in the chair.

The first order of business was the report of the treasurer, Mr. George Burnham, Jr., of Philadelphia, which follows:

National Municipal League

Income and expense for the year ended March 31, 1911.

Income

Membership dues	$11,755.00
Contributions	4,824.79
Sales of Proceedings	1,200.89
Interest and discount	30.96
	$17,811.64

Expense

Salaries and clerical work	$6,330.76	
Postage	3,208.44	
Printing and stationery	3,519.98	
Proceedings	2,000.95	
Clipping Sheet	248.07	
News clippings	205.50	
Traveling expenses	599.92	
General expense	708.97	
Accounts receivable charged off	10.65	
Total expense		$16,833.24
Net income for year, transferred to "National Municipal League."		$ 978.40

The Treasurer's books and reports were referred to Harvey S. Chase and Company, certified public accountants of Boston, under date of June 20, 1911, who reported as follows:

"We, therefore, certify that we have verified the treasurer's accounts to the extent of ascertaining that the receipts are supported by regular reports from the secretary; that the disbursements are supported by approved vouchers; that the balance of cash called for March 31, 1911, is on deposit at the Union Trust Company, Philadelphia, and that the following schedules are in agreement with the facts as disclosed by the books."

On motion, duly seconded, the report of the treasurer was unanimously approved and adopted.

Chairman Bonaparte: The next head of business is amendments to the constitution and by-laws. The report of the committee of which Mr. Charles Richardson is chairman, will be presented by the secretary.

The Secretary: For upwards of a year there has been discussion of the constitution and by-laws in the executive committee. They were adopted seventeen years ago, and the growth of the league in many directions has made the old form not only difficult of operation, but rather out of harmony with the democratic ideas which prevail in the league. The most notable instance of that fact is that the electing power in the league under the existing by-laws is in the affiliated members, the organization members, leaving the individuals entirely without any voice in the management of the league.

I have here the suggested constitution and by-laws. Copies of the proposed changes were sent to all of the affiliated (or voting) members of the league six months ago, and 65 of them have formally expressed their approval of them. To date there has been no negative vote or objection made to the constitution and by-laws. The principal change is in the method of voting, the old method being by means of delegates from affiliated members. The new Article VI provides a much more democratic form.

Then there is a considerable change in the phraseology. Originally the executive committee was what its name purported to be, an executive committee; but, in process of time and by reason of the growth of the league, that body has grown to be a committee of thirty-three members and the officers, rather a large body for an executive committee. So three or four years ago a business committee was created to discharge the duties of a real executive committee. The by-laws call the old committee the council, to meet twice a year, at least, and as much oftener as may be necessary, and call the business committee the executive committee.

It was suggested at the executive committee meeting yesterday, that in view of the fact that the NATIONAL MUNICIPAL REVIEW will hereafter be sent to all members of the league in good standing, it might be proper to add an amendment to Section 6 by saying, "Any person or association approved by the council or its authorized representatives may become a member of the league by the payment of $5.00 for the current fiscal year of the league, and thereby become entitled to receive such periodical publications of the league as may be issued during the term of membership."

Copies of the amended by-laws were distributed and carefully considered.

MR. DANA: We might adopt the suggestion of providing that the dues shall cover the annual publications of the league; then, if that is wrong, we can amend it. We will need an amendment at any rate, probably, and it seems to me wiser to make the change now with the chance that it will be satisfactory.

THE SECRETARY: Then I move that in the 6th Section of the proposed constitution, on page 4, after the word "thereafter," the following words be inserted:

"Such payment shall include a subscription for one year to any periodical issued by the league."

The aforegoing amendment, and an amendment making the life membership $100.00 were duly seconded and unanimously adopted. Thereupon, on motion duly seconded, the proposed constitution and by-laws, as amended, were unanimously adopted.

THE CHAIRMAN: Dr. Albert Bushnell Hart then presented the report of the executive committee.

REPORT OF THE CHAIRMAN OF THE EXECUTIVE COMMITTEE, NOVEMBER 14, 1911

Some societies intended for the enlightenment and betterment of mankind are conducted by bosses; some by a commission government made up of the titular officers; and a few are democracies ruled either by a mass meeting, or, as in the case of the National Municipal League, governed by a "big-side" legislative body—the executive committee. Under the new constitution and by-laws it is now approaching its dissolution, and will be succeeded by a formal council which will henceforth be the main-spring of the League.

One of the reasons for the effectiveness of the National Municipal League is this vital body which meets not only at the period of the annual conference, but at least once in the interim to prepare business for your consideration; and to perform important functions including the organizing of the committees of the League. A member of the committee for some years, it was my fortune to be designated as chairman for the current League year; and I have thus been able to come into close relations with the activities of the society. At the Buffalo meeting of 1910, the executive committee was requested to report on its year's activities. It has seemed suitable that this report should be made to the League as a whole.

Membership of the Committee

The members of the executive committee are elected by the League at its annual meeting and pains have been

taken to secure a proper representation of the various sections of the country; and to recognize the coming forward of new and active men.

Meetings

The committee has held one general meeting in New York, April 20, 1911, at which 22 out of the 35 members were present and another in Richmond on November 13, with an attendance of 15. In addition, the chairman and the secretary of the League have repeatedly communicated with all the members of the committee by letter, and with various members on special topics. The spring meeting is of especial service, because it is free from the entanglements of the annual meeting, and has time to discuss and settle upon questions of large general policy.

Place of Annual Meetings

One of the functions of the executive committee is to decide upon the place of the League's annual meeting, an honor for which many cities strive. At the meeting in April was made the happy decision to assemble here. A member of the committee from the Pacific coast appeared and by his eloquence brought the committee to the point of recommending a departure from its usual policy both as to time and place of the annual meeting, by undertaking to meet at Los Angeles in June or July, 1912.

Committee System

It is through the executive committee or council that the system of investigating and reporting committees has been established and made fruitful in much of the best and most far reaching work of the League. At present there are no less than 15 active committees, besides several which have completed their work and dissolved. The members of these committees are designated by the present business committee, and include a considerable number of the members of the executive committee, and many other of the recognized experts in municipal affairs throughout the country.

These committees are the antennae of the League, and are organized upon a definite principle, or rather a series of definite principles.

(1) The 2500 members of the League include a large number of practical men who are in a position to find out just what is going on in Amercian cities, and to suggest practical improvements and reforms. This body of people is the most valuable asset of the League; and it is the purpose of the executive committee to utilize it.

(2) The League comes into contact with a great number of important municipal questions, upon which there is little authentic information. The most direct way of examining those questions is through small committees which can organize and distribute the work, analyze the results and concentrate them into brief reports.

(3) Such reports furnish the best possible material for concrete discussions in the meetings of the League. The expectation is that such a committee, once appointed, will in the course of one or two years be able to make at least a preliminary report at a meeting of the League; can avail itself of the consequent criticisms; and eventually will have ready a final report which can go out as the contribution of the League to the subject.

(4) One of the significant advances of the year has been the appropriation of moderate sums of money for the employment of experts to collect information for some of the committees. One of the young gentlemen thus engaged made such an impression by his work that he has received an appointment in the office of the controller of New York.

Many of the most important results and publications of the discussions of the League in the past have taken the form of such committee reports. The selection and distribution of members

of the committees, the development of new talent, and the publication of the results is perhaps the most important function of the League.

Present Work of the Committees

A brief view of the existing committees and their activity during the past year will illustrate the method just described.

1. *Advisory* (formed in 1908): Charles J. Bonaparte, chairman.—This is a large committee intended to form a body of members of the League distributed throughout the Union, and specially interested in the enlargement of the membership and influence of the League. It is genuinely advisory, both through the valued counsels of its chairman to the officers of the League, and through the suggestive letters of the members on various questions which have been submitted to them.

2. *Civic Secretaries* (formed in 1910): Elliott H. Goodwin, chairman.—This body arose out of the common interest and enthusiasm of a group of men who make civic reform their life work. It sends out special monthly bulletins to its members and acts as a kind of clearing house of information on its special interests. It is now engaged in making up a list of organizations, national, state and local, interested in municipal reform.

3. *Civic Education* (formed in 1910): Arthur W. Dunn, chairman—This committee continues work done by four former committees in collecting information and reporting suggestions for the training of school pupils and college students in municipal government; and is engaged in studying the results of the numerous experiments in civic education.

4. *Experts in Municipal Service* (formed in 1911); Clinton Rogers Woodruff, chairman.—This is a joint committee of the League and the National Civil Service Reform Association, which is to prepare a report on the question of securing and retaining experts in city departments and as municipal advisors. Part of the results of the committee will be presented later in this conference by Mr. Richard H. Dana, a member.

5. *Finances and Budgets* (formed in 1910): George Burnham, Jr., chairman. A report from that committee will form part of the proceedings on Wednesday. It is expected that the work of this committee will be consolidated with that of Committee No. 12.

6. *Franchises* (formed in 1909): Robert Treat Paine, chairman.—This committee has one of the most important tasks in connection with the League, already prefigured by the Municipal Program and its work is expected to last for several years.

7. *Liquor Question* (formed in 1910): Camillus G. Kidder, chairman.—This committee addresses itself to a general problem which, however, both from the social and financial points of view is especially significant in cities. An interim report from this committee will be part of the proceedings on Thursday.

8. *Municipal Courts* (formed in 1911): Harry Olson, chairman.—This is one of the most recent committees to be organized, and it will be at work during the next League year.

9. *Municipal Health and Sanitation* (formed in 1907): M. N. Baker, chairman.—Here is a question which touches directly on the state and rural as well as the municipal functions of government and on which the League through the work of the committee aims to assist to form a proper public opinion.

10. *Municipal Reference Libraries and Archives* (formed in 1909): Dr. Horace E. Flack, chairman.—The work of this committee goes alongside that on civic education. In various parts of the country private and public agencies are at work on the collection and arrangement of materials which will aid in a sound understanding of municipal problems; the committee will aid in correlating these efforts.

11. *Police* (founded in 1910): Frank J.

Goodnow, chairman.—No subject is more significant for good or bad city government than the actual conditions of the police. This investigation is just beginning and will occupy several years.

12. *Program for the Improvement of Municipal Administration* (formed in 1910): W. F. Willoughby, chairman.—The work of this committee is intended to be of a nature similar to that of the laborous committee which drew up the Municipal Program. It proceeds not from a doctrinaire point of view, but from the effort to assemble what has been already done in effective city governments. It will be merged with the Committee on City Finances.

13. *Publication* (formed in 1911): Clinton R. Woodruff, chairman.—This committee has charge of one of the most important activities of the League. It has held many meetings, presented material for vigorous discussions at the meeting of the executive committee in April, and has initiated two new forms of literary output, the *National Municipal League Series*, and the NATIONAL MUNICIPAL REVIEW.

14. *School Extension* (formed in 1909): Edward J. Ward, chairman.—This committee made elaborate report at the Buffalo meeting, embodying a number of valuable papers which have been collected and will appear in one of the volumes of the *National Municipal League series.*

15. *Taxation of Benefits and Excess Condemnation* (formed in 1910): Lawson Purdy, chairman.—This committee, an enlargement of a previous committee on taxation has actively dealt with a phase of municipal government which has lately come much into the public eye; and has had an investigation made by an expert, which is likely to eventuate in a volume.

Publications

Equally important is the system o publications which has been worked out during the last year and will henceforth engage a considerable part of the energy and the means of the League. Up to this time the main publication has been the annual volume of *Proceedings*, which contains an immense amount of valuable matter; but it appears only once a year and several months after the meeting. It has been decided to suspend further publication of the *Proceedings* in that form; a considerable number of papers which are read at the meetings of the League, including the secretary's annual report on municipal progress in a modified form, will appear in the new journal. The present cost of the *Proceedings* which has augmented as the interest and variety of discussions has increased, can in considerable part be applied to the new form of publication.

This new form is the NATIONAL MUNICIPAL REVIEW of which the first number is to appear January 1, 1912. This periodical has been many times suggested, but had to be postponed until the membership was sufficiently enlarged. As we are now on the 2500 mark the discussion has been renewed, a special committee on publications went into the whole subject, and recommended a plan which was thoroughly discussed by the executive committee at its April meeting, and has received the sanction of the business committee and of all the officers. It is intended to be a general review of municipal affairs and municipal progress; to serve as a means of frequent communication between the League and its members; to review the current literature; to give fresh and authentic information. It is not designed that it shall be the organ of the League in the sense of representing any particular propaganda; it is to be the medium of discussion from every point of view, a genuinely national journal.

The second new line of publication is the *National Municipal League Series.* By arrangement with the well known publishing house of D. Appleton and Company, this series is to be published on a royalty basis, so that it will not add to the financial responsibilities of the

League; in fact it is hoped that the sales will help to provide for the expense of preparation of the material. The volumes announced are as follows:

1. *Government Commission*, edited by Clinton Rogers Woodruff, now on sale; the first printing was speedily exhausted and a second one is already made.

2. *Municipal Franchises*, Dr. Clyde L. King of the University of Pennsylvania, Editor.

3. *The Initiative, Referendum and Recall*, Professor William B. Munro, of Harvard University, Editor.

4. *School Extension*, Professor Edward J. Ward of the University of Wisconsin, Editor.

5. *Municipal Finances*, Dr. William B. Hadley, of the Controllers Office, Philadelphia, Editor.

6. *The New Public Health*, Mr. M. N. Baker, Editor of the *Engineering News*, Editor.

7. *Constitutional Municipal Home Rule*, Professor Augustus R. Hatton, of Western Reserve University, member of the approaching Ohio Constitutional Convention, Editor.

8. *City Planning*, Mr. George E. Hooker, Civic Secretary of the Civic Club of Chicago, Editor.

Various other volumes are in contemplation, including Excess Condemnation Increment, Municipal Civil Service; Municipal Recreation.

In making up these volumes it is the intention to collect and include cognate papers and reports out of the *Proceedings* so far as they are still vital, but also to introducde other material, and to supplement and fuse it so as to make each volume authoritative in its field, and the latest work on its subject.

The minor publications of the League —the Clipping Sheets, tracts and descriptive booklets, will be continued much as before; though so far as possible money will be saved in that direction to go towards the new enterprises.

Membership of the League

The Secretary reports to the executive committee a most gratifying increase in the membership of the League. November 30, 1910, the total stood at 2144. Since that time down to November 1 (that is, one month short of a full year) the net additions have been 309, making a total of 2453. The influence of this current meeting will probably raise the total considerably over the 2500 mark by November 30. This places the League among the group of large and powerful societies of this kind. The new quarterly and other publishing activities will help to make the League widely known and its membership desirable. Within a year or two the membership should run above 3000. The increase means not only a broadening of influence, but an improvement of finances which will enable the League to enter upon some of the many important investigations which are awaiting its attention.

Other Functions of the Committee

The executive committee has also considered various other questions relating to the League. It discussed the proposed constitutions and by-laws, drawn up under the direction of the business committee. It has passed upon the contracts and arrangements for the new publications. It has kept the run of the various committees and has received their reports. It has discussed the two prizes offered by the League, namely the Baldwin and the High School.

ALBERT BUSHNELL HART,
Chairman.

THE CHAIRMAN: It is recommended that the Right Honorable James Bryce, be elected the first honorary member of the league.

Mr. Bryce was then elected an honorary member of the league by a unanimous vote.

THE CHAIRMAN: This report of the executive committee will be placed on file. The next business in order is the report of the nominating committee, which Camillus G. Kidder, Esqr., of Orange, New Jersey, the chairman of the committee, will present.

MR. KIDDER then presented the following report of the nominating committee:

The committee presents the following nominations:

For President: William Dudley Foulke, Richmond, Ind.

For Vice-Presidents: A. Lawrence Lowell, Harvard University; George McAneny, New York; Camillus G. Kidder, New York; Charles Richardson, New York; H. D. W. English, Pittsburgh; Jane Addams, Chicago (new); William Kent, Kentfield, California (new).

For Secretary: Clinton Rogers Woodruff, Philadelphia.

For Treasurer: George Burnham, Jr., Philadelphia.

For Council: Robert Treat Paine, *Boston;* Harvey Stuart Chase, *Boston;* Albert Bushnell Hart, *Cambridge;* William Bennett Munro, *Cambridge;* William G. Low, *New York;* Eugene H. Outerbridge, *New York;* Knowlton Mixer, *Buffalo;* Charles W. Andrews, *Syracuse;* Richard S. Childs, *New York;* Arthur C. Ludington, *New York;* William M. Chadbourne, *New York* (new); Raymond V. Ingersoll, *Brooklyn;* Dudley Tibbits, *Troy;* Merwin K. Hart, *Utica,* Clarence L. Harper, *Philadelphia;* Thomas Raeburn White, *Philadelphia;* J. Horace McFarland, *Harrisburg;* George W. Guthrie, *Pittsburgh;* Oliver McClintock, *Pittsburgh;* A. Leo Weil, *Pittsburgh;* Charles H. Ingersoll, *South Orange, N. J.;* M. N. Baker, *Montclair, N. J.;* William P. Bancroft, *Wilmington;* Charles J. Bonaparte, *Baltimore;* John Stewart Bryan, *Richmond* (new); Elliott Hunt Pendleton, *Cincinnati;* Walter L. Fisher, *Chicago;* Edward L. Burchard, *Chicago* (new); Frederick Cook Morehouse, *Milwaukee* (new); John A. Butler, *Milwaukee;* J. L. Hudson, *Detroit;* N. F. Hawley, *Minneapolis* (new); Dwight F. Davis, *St. Louis;* Ernest C. Kontz, *Atlanta;* Frank J. Symmes, *Redlands;* Rev. Charles N. Lathrop, *San Francisco;* Meyer Lissner, *Los Angeles;* W. D. Lighthall, *Montreal, Quebec* (new).

The following nominations are new:

For Vice-Presidents: Jane Addams and the Honorable William Kent.

For Council: Frederick Cook Morehouse, Edward L. Burchard; W. D. Lighthall, John Stewart Bryan, William M. Chadbourne, N. F. Hawley.

CHARLES W. ANDREWS,
JOHN IHLDER,
L. MCKENZIE JUDKINS,
C. G. KIDDER, *Chairman,*
EDWARD M. SAIT,
Committee.

On motion, duly seconded and adopted, the secretary was instructed to cast the unanimous ballot of the Association for the officers named in the report of the committee.

THE SECRETARY: I have cast the unanimous ballot of those present for the ticket nominated, and I would say that this is the first time I have had the privilege and pleasure of casting a ballot for a lady, Miss Jane Addams.

THE CHAIRMAN: The next business in order is the annual review on "American Municipal Tendencies" by our secretary, Mr. Clinton Rogers Woodruff, of Philadelphia. This review which was read in abstract is printed in full in the NATIONAL MUNICIPAL REVIEW.

Harvey N. Shepard, Esq., of Boston, then read a paper on "The Thralldom of Massachusetts Cities," which will be printed in a future number of the REVIEW.

CHAIRMAN BONAPARTE: We will hear now a paper by Mr. Thomas M. Pittman, city attorney, of Henderson, North Carolina, on "The Problems of Small Cities: Particularly of the South."

The Problems of Small Cities: Particularly of the South

BY THOMAS M. PITTMAN

The problems of the small city are not always those of the large one, and when they are alike in character they often differ greatly in degree. There is at least the unlikeness which differentiates the youth who has reached the awkward age from the mature man, who has found his place in the world of thought and action.

It has been urged that city government is only a business concern, and that it ought to be organized and administered accordingly. This is not true. The city government has very important legislative and governmental functions which intimately affect the welfare of the people. They relate to health and public morals, and to the material prosperity of the community. The importance of this phase of city government ought not to be minimized, and there is no need that it shall be. There is need however, that our city governments shall be so organized as to give adequate attention to both legislative and administrative functions. All administrative matters ought to be committed to responsible heads of departments, or committees as may be found most practicable under the circumstances, whose intelligent and ample written reports should be the basis of action by the council. For the council to conduct these matters directly is impracticable. The attempt to do it is one of the discredited features of small city governments. In many places it is still persisted in as if there could be no other course. Indeed, so firmly is this idea fixed in some minds that many urge the commission government upon the supposition that it is the only way to secure responsible heads of departments, and a business administration.

One difficulty in all these systems of city organization, is that the charter or fundamental law whatever form it may take, is too often the work of inexpert draftsmen, who have neither the knowledge which comes of experience nor that derived from a careful study of the best precedents.

In the field of administration there looms up before us very large, the problems of efficient administrators.

In European cities there is usually at least one municipal expert in the city government—commonly the city clerk. Municipal administration becomes a profession with him and the tenure of his office is permanent. He is not merely a secretary or keeper of the records, but the official in whom all the activities of the city centre. He is the repository of all knowledge concerning municipal subjects, particularly of his own city, and the adviser at every turn in local administration. No such condition obtains in the United States, and our municipal life is the poorer for its absence. Such an office would be of incalculable value in our small cities. It would make practicable the coördination and due balancing of the various departments and unify the operations of the administration. A small annual appropriation would enable that officer to build up a municipal library which would bring within convenient reach information of all important municipal movements and activities and give to his city all that time and experience have wrought for others.

There are two fruitful causes of inefficiency in administrative officers: 1. The common distribution of public services among many petty officers with nominal salaries. The offices are a sort of side line to the official's private employment. Obviously the public would be better served by a consolidation of the offices and salaries and the elimination of the "side line" service. 2. The short term of officers other than the mayor and council. The only apparent idea for fixing a term at all for such places seems to rest in the spoils system. Mention has already been made of the possibilities of useful service inherent in the clerk's office. But this possibility is entirely dependent upon the continuous tenure

of the clerk. It is almost equally true of the health officer, the police, firemen, street commissioner and others. In all these cases efficiency is largely due to experience in the employment. This of course, can only be secured by the adoption of the merit system.

The Chairman: The last heading of this session is a report on "City Government by Commission," presented by Mr. Richard S. Childs, chairman of the committee which has that subject under consideration.[1]

The report of the committee on commission government was made the subject of a discussion not only at the morning session of the league, but also at the round table luncheon over which Prof. Albert Bushnell Hart presided. The trend of thought followed in the discussion is stated in the note attached to the report of the committee published in this number of the Review.

Tuesday Afternoon Session

Tuesday, November 14, 1911, 3:00 o'clock p. m.

Honorable William Dudley Foulke, president, in the Chair.

The Secretary: Mr. Purdy's committee on "Excess Condemnation and Special Assessments" has been engaged for twelve months in collecting data, and has had for three months a special investigator at work, and will prepare an elaborate report which we hope will see the light of day in the National Municipal League Series. The report has been compiled so recently that the committee has not had time to digest it and make its own recommendations; therefore Mr. Purdy's report is of necessity a brief one.

Committee on Excess Condemnation and Special Assessments

As chairman of your committee, I am not able to report at this time on behalf of the committee. What I say therefore must be taken as an expression of my own opinion and as not binding upon any other member of the committee. This report is only a report of progress.

The committee has confined itself almost exclusively to an investigation of excess condemnation in this country and abroad. The committee was fortunate in securing the assistance of Mr. Herbert S. Swan, who has carefully examined many cases in which the principal of excess condemnation has been applied in Europe, where it has been common for many years for cities to acquire more land than that immediately needed for some public improvement for the purpose of safeguarding the work in one way or another. Under the general direction of the committee, Mr. Swan has prepared a report of some thirty thousand words. Cases of excess condemnation in the United States are so rare that of necessity most of the space is given to European examples.

John DeWitt Warner, Esq., is preparing a paper on the legal aspects of excess condemnation in the United States. To complement the report on excess condemnation data is being collected from cities in all parts of the country on the financing of street improvements and parks by special assessments. The law in regard to special assessments very rarely prescribes details, and methods of administration vary greatly as well as the extent to which special assessments are employed. The subject is a difficult one to treat and it will be some time before the committee will be in a position to report concerning it.

In the United States the right of eminent domain can be exercised by the state for a public use only. The federal constitution imposes this limitation upon congress in express terms, while other provisions of the constitution probably impose a similar limitation upon the states. Practically all state constitutions limit the taking of land by eminent domain to the taking for a

[1] This report is published in full in the current number of the Review.

public use. The legal questions relate to the construction of the term "public use?" If the term is very narrowly limited it may be possible to take no more land by condemnation than that actually required for the bed of a street when a street is opened or widened, or than is required for any other public purpose. If the power of the municipality is thus limited, a public improvement sometimes becomes a curse rather than a blessing. When a new street, for example, is laid out through a plotted and improved section, small and irregular parcels of land are left fronting on the street, and the suitable improvement of abutting land is prevented, unless these parcels can be gathered into one ownership with sufficient adjoining land to form suitable parcels for improvement. It sometimes happens that such remnants of land adjoining a new or widened thoroughfare are held by persons without power to sell, and improvement is indefinitely delayed, assessed values cannot increase, and the owners of adjoining property are burdened with heavy assessments with practically no compensating benefit. On an important avenue in the city of New York there is a strip of land a few inches wide and several hundred feet long, the title to which is defective. The land cannot be sold, and it is practically impossible to improve the land behind the strip because it has no access to the avenue. Many streets are permanently disfigured because of the small remnants left at the time the street was widened or opened.

It would seem that it is as much a public purpose to acquire sufficient land bordering a new street as may be necessary to prevent the conditions described, as it is to acquire the land for the street itself. A study of European conditions discloses manifold other social purposes for which land has been acquired, adding to the health, comfort and beauty of the city, conserving the city's resources, and increasing its revenue.

LAWSON PURDY, *Chairman.*

Richard Henry Dana, Esq., of Boston then read a paper, entitled "Antitoxin for Municipal Waste and Corruption."[1]

The Hon. Charles J. Bonaparte, of Baltimore, read a paper on "Municipal Civil Service Reform."[2]

THE PRESIDENT: I will call upon Professor Robert C. Brooks, of the University of Cincinnati, to read to us a paper upon "The German Imperial Increment Tax."

DR. BROOKS: Briefly, the unearned increment tax is the single tax idea of the late Henry George. Now I am not a single-taxer; in the sense that I believe that the day after its inauguration we would wake up and find our localities transformed into "New Jerusalems;" but I am a single-taxer to this extent, that I believe great benefits will result from the single tax. Germany has approved it; after trying the unearned increment tax, the Zuwachssteuer, it has extended it and applied it to other localities. When such experts on government as the Reichstag adopt a new principle, that principle is going to travel further before it stops traveling. I do not regard Henry George as the greatest intellect the race has produced by any means, but I do regard him as a great thinker who was far from being altogether wrong. You have heard, because England is closer than Germany, and because the English speak our language, of another George, Lloyd-George, and his great reputation; but much of that reputation is based on ideas taken from Henry George.

Dr. Brooks' paper has been printed in pamphlet form. He pointed out that German cities have grown since 1870 quite as rapidly as those on this side of the Atlantic. Peasants fortunate enough to own and shrewd enough to hold on to property in the line of city growth have

[1] Mr. Dana's paper is printed as one of the leading articles of the January issue of the NATIONAL MUNICIPAL REVIEW.

[2] An abstract of Mr. Bonaparte's paper will appear in the April issue of the REVIEW.

frequently become millionaires. The German tax on unearned increment was designed to make such increases in land value contribute to the public treasury. First experimented with in the German protectorate of Kiao Chau in 1898, the idea was taken up by several of the larger German cities in rapid succession. Finally in 1911 the empire entered the field, and extended the new form of taxation over all the states and cities of the fatherland. In case of very large profits on real estate transactions over purchase price and value of permanent improvements the unearned increment tax may amount to as much as 30 per cent of the net gain. The revenue from this source is divided, 50 per cent going to the empire, 10 per cent to the state government, and 40 per cent to the city in which the property is located. Altogether the German unearned increment tax law of 1911 is one of the largest and most significant applications that has yet been made of the ideas of the late Henry George.

Wednesday Morning Session

Wednesday, November 15, 1911, 9:30 o'clock a. m.

President Foulke in the Chair:

Mr. H. P. Nichols offered the following resolution which was adopted after a brief debate:

Resolved, that hereafter the program committee procure, wherever possible, the manuscripts of the papers which will appear on the annual convention programs, and furnish members with copies of the manuscripts thereof thirty days before the meeting.

Committee on City Finances and Budgets

Mr. George Burnham, Jr., of Philadelphia, the chairman of the committee on "City Finances and Budgets," presented the following report from that committee:

Your committee on city finances and budgets is only able, at this time, to report progress. At present the committee is engaged in the consideration of an outline defining the purpose and characteristics of a municipal budget prepared by Dr. Frederick A. Cleveland of the committee, and offered simply as a basis of discussion by the committee with a view of arriving at a comprehensive statement of the principles of budget making.

In April last the outline in question was sent to the members of the committee with the following letter:

"With a view to clearing the ground for further work of the committee your chairman had a conference with Dr. Frederick A. Cleveland, resulting in the enclosed memorandum intended, as its title indicates, as a basis of discussion of what the principles of budget making are. Will you kindly give the paper your careful consideration and advise me as promptly as you can,

"*First*, Whether, in your view, the outline correctly presents the subject, and, if not, what changes or corrections you would suggest.

"*Second*, Whether the outline is sufficiently comprehensive, and, if not, what are the omissions.

"I should also like your opinion as to how the outline as it may be finally agreed upon, can best be used by the committee in furtherance of its work. It has occurred to me that one method might be to invite papers, from members of the committee or others, on subjects suggested by the various headings, such papers to be presented at our annual meetings, and afterwards utilized by the committee for a volume on the subject, or otherwise. I should appreciate an expression of opinion on this point and any suggestion as to other methods of procedure.

"I am sending you, under separate cover, the latest report of the city controller of Philadelphia, showing balance sheets and general accounts as recommended by the Bureau of Municipal

Research definitively adopted by the controller as a part of the city accounting system."

The committee has not yet reached a consensus of opinion upon this paper and the uses to be made of it. For the information of members of the league interested in the subject, the chairman has prepared printed copies of the paper prepared by Dr. Cleveland.[1]

During the current year two, out of the three technical members of your committee, have been drafted by the President of the United States for service on his Commission on Economy and Efficiency—namely Messrs. Cleveland and Chase. The strenuous nature of their duties in this work for the national government has necessarily rendered them less available for the work of your committee.

Dr. W. W. Willoughby, the chairman of your committee on a "Program for the Improvement of Methods of Municipal Administration," whose work is so closely allied to that of the committee I have the honor to represent, is also a member of the President's commission. The league, however, is to be congratulated upon having furnished so many of its working members to this important committee, having to do, as it does, with questions of national scope.

The secretary read a paper on "Philadelphia's New Accounting Plan" by the controller of the city, the Hon. John M. Walton; and also presented a paper from Professor Charles E. Merriam on "The Chicago Commission on City Expenditures;" and Charles F. Gettenny, director of the Massachusetts Bureau of Statistics, read a paper on "The Results of the Requirements of Uniform Reports with Special Reference to Municipal Indebtedness." All three of which will be utilized by Dr. William B. Hadley in his volume in the National Municipal League Series on "City Finances."

[1] This outline can be had of the secretary so long as the supply lasts.

A paper entitled, "Economy and Efficiency in Municipal Health Administration Work," by Selskar M. Gunn, of Boston, Assistant Professor of Sanitary Biology and Public Health, Massachusetts Institute of Technology, was read by M. N. Baker.[2]

The paper of Dr. Gunn was discussed at length by Dr. E. C. Levy, Health Officer of Richmond; Mr. Dana; Mr. Baker; Elliott H. Pendleton, Esq., Cincinnati; Mr. Oliver McClintock, of Pittsburgh.[3]

The Hon. Arthur S. Espey, of the Ohio State Senate read a paper on "Ballot Reform in Ohio."

Round Table Luncheon

Wednesday, November 15, 1:00 o'clock p.m.

John Stewart Bryan, Richmond, presiding.

John Ihlder, secretary of the National Housing Association, read a paper on "Private Housing and Public Health," which is published in the January number of the Review. This interesting paper was discussed by Miss Elizabeth Cocke, of Richmond, President S. C. Mitchell, of the University of South Carolina, Dr. Walter S. McNeill, a member of the Richmond bar, Dr. Edward C. Levy, health officer of Richmond, and Chairman Bryan.

This discussion will be edited and published as a separate article in a future number of the Review.

Municipal Reference Libraries and Archives

The committee on municipal reference libraries in its report to the National Municipal League in November, 1910, showed the great need for municipal reference libraries and outlined a general scheme of organization which seems to be both sound and practical. The present committee was formed to continue

[2] Dr. Gunn's paper appears in the January issue of the Review.

[3] This discussion will be summarized for the April issue of the Review by Mr. Baker.

the work and the question of municipal archives was regarded as so closely connected with this subject that the committee was instructed to consider it in connection with municipal reference libraries. The archives of our cities are, as a general rule, very poorly arranged and inadequately catalogued and indexed even where an attempt is made to do so. In many cases, the collection is incomplete. The material contained in the documents of the cities are invaluable and each city should see to it that its own documents are properly preserved, classified and indexed. The proper agency to do this work would seem to be the municipal reference library. We cannot urge too strongly that the municipal reference library not only be be made the depository of the municipal documents but that it also be made the agency for exchanging these documents with other cities. The charter revision commission of Baltimore recognized the desirability of this by providing in the proposed new charter that the Department of Legislative Reference be changed to the Department of Legislative Reference and City Archives, thus becoming the depository of city documents as well as the municipal reference library of the city.

This committee indorses the report made in November, 1910, and particularly the following recommendations contained in it:

1. That municipal reference libraries should be established in all large cities.

2. That as a general rule such libraries should be under the control of the public library.

3. That such libraries should be located in the city hall where feasible.

4. That the qualifications for the head of such a library should be a liberal education, with special training in political science, economics, municipal government, and methods of organization and administration, and he should be selected for merit alone.

5. That the head of the municipal reference library be selected by that method which, in the particular city, under the local conditions there prevailing, tend most completely to eliminate political considerations. In some cities, the most satisfactory results may be obtained by lodging the appointing power with the public librarian or library trustees. In other cities, conditions may make it advisable to have appointment made by a select, impartial and non-political board.

6. That the municipal reference library be made the agency for the exchange of municipal documents.

7. The functions of the library should not be restricted to any particular phase of work so long as that work relates to the collecting, collating, compiling and disseminating of data or information. It will also be one of the functions of the library to aid in the drafting of ordinances.

During the past year, St. Louis has been added to the cities having municipal reference libraries and there the recommendation contained in the report quoted above was followed, for the municipal reference library is under the control of the public library but has its offices in the city hall. As was pointed out by your former committee, this committee is decidedly of the opinion that no hard and fast rule can be laid down in regard to the method of organization. If the public library is under public control and is in sympathy with the work, it would seem to be the proper agency to carry on the work, but there are no doubt other cases where a separate and distinct organization, as in Kansas City, Mo., and Baltimore, would be preferable In Milwaukee the organization of the municipal reference library has been changed so as to place it under the public library.

There are at the present time five municipal reference libraries, all located in the city hall except the one in Minneapolis. The organization of these libraries is as follows:

Baltimore—Under the control of a non-political board consisting of the

mayor, city solicitor, president of the Johns Hopkins University, president of the Municipal Art Society and president of the Merchants and Manufacturers Association.

Kansas City—Under the control of a board consisting of the mayor, president of the Commercial Club, president of the Industrial Council, president of the Kansas City Bar Association and president of the City Club.

Milwaukee—Under control of public library.

Minneapolis—Under control of public library.

In every case, the municipal reference librarian is to be selected for merit and fitness.

In addition to the above purely municipal reference libraries, it is proper to add that the Public Library of Grand Rapids, Mich., is doing considerable work along this line. The Universities of Wisconsin, Kansas and Illinois maintain municipal reference libraries for all the cities of those states, this being done under the university extension work. They are doing a very valuable work for their cities, and the Universities of California and Oregon, and Whitman College of Washington are considering the question and it seems only a question of time until other universities will undertake this work for the smaller cities and towns. The statistical bureaus of Boston, Chicago and Newark to some extent take the place of municipal reference libraries, but they do not undertake to perform all the functions which seem properly to belong to municipal reference libraries. Your committee is pleased to report that New York City is considering this question, the board of estimates having appointed a committee to investigate the subject and a report has been submitted as to the expediency of establishing such a library. It is not possible at this time to say what action will be taken.

Mayor Magee of Pittsburgh has written that he thinks it very essential to have such a library and that the Carnegie Library there is ready and anxious to undertake the work and will do so as soon as the funds are available. The Free Library of Philadelphia is also considering the question and it seems likely that steps will be taken in the near future to inaugurate the work there. Mayor Rick of Reading writes that he is in favor of such a library and the Public Library of Buffalo hopes to see one established there in the near future. Other favorable letters have been received both from mayors and librarians.

The committee is pleased to say that the movement for the establishment of municipal reference libraries for the past year has been very successful and that the future promises even greater progress.

In considering this question, the great need of having in this country a central bureau to gather and compile information available for all cities, has been forced upon your committee. The federal bureaus at Washington, particularly the Census Bureau, have rendered invaluable assistance along many lines, but a great deal yet remains to be done. What we have in mind is the establishment of a central municipal reference bureau which would serve all the cities of the country. It seems that this might be undertaken by the Census Bureau or some other department at Washington at a small expenditure as compared with the benefits and advantages to be derived. We would recommend, therefore, that the National Municipal League take such steps as deemed best to bring this matter to the attention of the bureau or department best equipped to undertake the work or to secure the legislation necessary to make this recommendation effective.

HORACE E. FLACK, *Chairman.*

WEDNESDAY AFTERNOON SESSION

Wednesday, November 15, 3:00 o'clock p.m.

President Foulke in the chair.

A paper entitled "Preferential Voting," by Reginald Mott Hull, Secretary

of the Cambridge Taxpayers' Association, of Massachusetts.

Mr. Hull's paper brought up to date so as to include the results of the latest elections will appear in an early issue of the REVIEW, together with a résumé of the discussion on his paper and Dr. Rappard's.

The subject of The "Swiss Electoral System," was discussed by Dr. William E. Rappard, formerly of Switzerland, now of Harvard University.

Dr. Rappard's paper has been separately reprinted. Copies can be had upon application to him.

THE DINNER

Wednesday, November 15, 1911, 8:00 o'clock p. m.

A delightful dinner of the members, delegates and local committee was held at the Jefferson Hotel, with the Hon. Wyndham R. Meredith of Richmond acting as toast master. In the course of his opening remarks Mr. Wyndham said: "I think you have come to us on an auspicious occasion. The conservatism which is a distinguishing mark of this state is changing, and we have recognized, as other parts of the country have recognized, that the antiquated methods under which we undertake to discharge municipal government will have to be done away with. But three lions will always stand in the path, and until they are overcome no commission, no form of municipal improvement can be successful. They are indifference, self-interest, and lack of public spirit."

Clinton Rogers Woodruff, the secretary of the League, discussed the militant side of civic advance, referring especially to the victories in Philadelphia, San Francisco, Cincinnati and Cleveland. He spoke of the note of hopefulness as being the distinguishing feature of the Richmond meeting, "hopefulness because of these very victories, hopefulness because the men who are at the head and front of the movement are not only men who represent in their personalities the protest against the old conditions, but the new idea and the new devotion to public duty.

Henry W. Wood, president of the Richmond Chamber of Commerce, in the course of an interesting address on the function of the Chamber, said: "The commercial and manufacturing interests are vitally interested in good municipal government. It means a great deal to the success of manufacturing and commercial operations to operate under efficient municipal management and just and reasonable taxation, which are only to be secured provided our municipal affairs are well and wisely managed."

Hon. William Dudley Foulke, concluded a striking address on the health of the city with these words: "We believe that our cities will be the places where democracy shall find its perfect fruitage and that dreams will come true, and I hope that many of us will have the opportunity of seeing that history written, and beholding the work of those who have borne ever so small a part in the battle for the maintenance of democratic institutions in the cities of our land."

Hon. Henry E. Hunt, mayor-elect of Cincinnati, touched upon the issues involved in the successful Cincinnati campaign, stating that the campaign as a whole "was based upon the principles of the League and the victory there was a victory of those principles." In the course of his address he said: "It occurred to us that the best advertisement we could give the city was to come here. It seemed the very fact that an elective officer should come to a meeting of this League was the best advertisement of the city he represented, and I think that it has been proven already."

City Attorney William R. Pollard, of Richmond, concluded the speeches with an account of the conditions in that city.

THURSDAY MORNING SESSION

Thursday, November 16, 1911, 9:30 o'clock a. m.

President Foulke in the chair.

A paper entitled "The Outline of a Model Street Railway Franchise," by Dr. Delos F. Wilcox, franchise expert of the Public Utilities Commission of New York City, and James W. S. Peters, of Kansas City, president of the City Club, Kansas City, was the first order of the day, and gave rise to a long, animated and most illuminating discussion which will be edited and made into an article for the April number of the REVIEW by H. P. Nichols, franchise expert of the Board of Estimate and Apportionment of New York City.

PRESIDENT FOULKE:—I am sorry to say that we will have to close this discussion, which I think is above the level of most debates of all other organizations. "Civic Education" is the next subject, and on that we wish to hear the report of the special committee by Arthur W. Dunn, of New York, author of "The Community and the Citizen," and secretary of the Public Education Association of New York City. Mr. Dunn's paper will be published in connection with the full report from the League's committee on "Civic Education."

THE SECRETARY:—I have two telegrams, which I would like to read.

Los Angeles, Cal.,
November 15, 1911.

Regret my inability to be present at this meeting; hope you will urge as many as possible to come to Los Angeles next year. Recent events here have made it even more desirable that the League come here to investigate and study one of the most interesting municipal problems in the United States. We promise a royal welcome, a real good time and a profitable meeting.—M. Lissner.

Omaha, Nebraska,
November 15, 1911.

Thank you for thinking of us, and, while planning ways and means of doing our municipal work better, we wish your convention success and the most desired results. Greetings from Nebraska.

Roscoe C. Ozman, Secretary League of Nebraska Municipalities.

MR. CHARLES W. ANDREWS (Syracuse): I know we are all anxious to express our thanks to our hosts, the citizens of Richmond, for their many kindnesses and courtesies. I therefore offer the following resolution:

Resolved: That the members of the National Municipal League wish to tender to His Excellency the Governor, to the Mayor, the Chamber of Commerce, the Civic Improvement League of Richmond, the Coöperative Educational Association of Virginia, and to the men and women of Richmond, thanks for their cordial reception and to express the League's appreciation of their gracious hospitality and of their assistance in promoting the work of this Association.

This resolution was unanimously adopted.

The next address will be one which we hoped to hear yesterday and is upon a matter of very considerable importance, "Civic Surveys," by Mr. Thomas H. Mawson, of Liverpool, England, author of "Civic Art."

The last paper of the morning, was on "The Prohibition Movement in the South," read by the Honorable William H. Thomas, of Montgomery, Alabama.

Judge Thomas's paper has been published in separate pamphlet form. Copies may be had directly of him at Montgomery, Alabama.

As the Round Table Luncheon which followed the morning session the report of the committee on liquor, Camillus G. Kidder, chairman, was read by Mr. Kidder, who presided and was made the subject of a lively and thoughtful debate.

The report follows:

COMMITTEE ON LIQUOR PROBLEMS

Your committee has been appointed to suggest a line of inquiry for the league to follow, keeping in mind its resources and limitations; to the end that a fairly definite programme may be outlined to be carried out during an indefinite period of time. Argument is not needed to show that the kind of effort the league should be able to apply to a study of the liquor question is sorely needed even at this late day; but a committee on the liquor problem would be largely ornamental unless the league is willing to buckle down to a settled plan of work, which would cost both time and money to carry out.

From the standpoint of the league the question of primary inportance is not that of creating ideal conditions but of the wise regulation of the liquor traffic as a problem in the government of cities. It may be accepted as a fact that for some time, perhaps indefinitely, liquor will continue to be sold in the cities. The query awaiting an answer is as to how the sale shall be carried on; under what auspices and under what restrictions.

SUGGESTIONS FOR A PROGRAM

1. *Licensing authorities.* The whole history of liquor legislation bears testimony to the difficulty of lodging the authority to issue licenses in the safest hands. It is the chief problem in regulation and one of the most perplexing matters in municipal government. Experiments have been numerous and for the greater part unsatisfactory, although some have proved much less so than others. No authoritative and exhaustive study, so far as the committee is aware, has been made of the results of the numerous experiments with different licensing authorities. Yet there is much instructive material at hand which should be sifted and presented as a guide to future legislation. The present situation in the states is chaotic.

Coupled with the question who should be entrusted with power to license liquor selling—a city council, the courts, commissioners appointed by the courts, a single commissioner, a local commission of several, a state commission, the police, etc., is that of the powers of licensing authorities to prescribe regulations in regard to location (restriction to certain areas), hours of sale, revocation of licenses, and whether under certain circumstances their authority should be made sufficiently elastic to meet conditions that cannot be anticipated by statutory law, such as permitting "factory canteens," issuing temporary licenses, etc., and by what means their regulations and rulings should be enforced. Another interesting question is whether there is any merit in lodging the power to revoke licenses in a separate authority.

2. *The classification of licenses.* Much of the trouble in regulating the liquor traffic arises from methods of classifying licenses which may directly invite evasion and prove onerous and unjust. It should be considered, whether it is possible to so classify licenses as to encourage the sale of the less alcoholic beverages. The question of club licenses is a separate problem.

3. *The limitation of licenses.* Should the number of licenses be limited by statutory enactment—so many of a certain class to so many inhabitants, or should the matter be allowed to regulate itself? The question presents many interesting points, and has never been adequately studied in the light of experience. Yet it is of great practical importance.

4. *License fees.* What standards should be adopted? What is the effect upon a municipality of exacting very high fees or very low fees; what is the effect upon the trade? The division of license fees.

5. *Local self-government in regulating the traffic.* Should a municipality be given some freedom in deciding for itself whether liquor may be sold at certain times or must the matter be left to the absolute prescription of the state? The

question will not down, especially in relation to Sunday selling. In cities with a large foreign contingent, the preponderance of public sentiment is doubtless in favor of Sunday selling; in other municipalities the weight of public opinion is the other way. Connected with this subject is that of granting to the licensing authorities, in municipalities of a certain population, freedom of action in special cases. Another problem which properly might be considered under this head is that of the right of a municipality to decide for itself whether the sale of liquor shall be licensed or not. The existence of such a right is hardly in dispute; but the question of how it should be exercised is far from being properly settled. Local option in cities is an active problem. There is enough experience at hand to afford rich material for an authoritative study. People argue about the subject largely on theory. A fact basis is wanted.

Your committee recommends that the question of "licensing authorities" be presented in the foreground and that it form the first subject of research. It is a question upon which there is the utmost diversity of opinion and upon which, as above stated, there is as yet no definite and final pronouncement. Under a strong and good licensing authority almost any statute is workable. It is believed that a thorough examination at first hand into the facts available would occupy profitably the attention of the new Committee for at least a year, perhaps longer. Your committee strongly urges that this topic should first enlist the attention of the league.

Respectfully submitted,
FRANCIS M. BURDICK, New York
AUGUSTUS RAYMOND HATTON, Cleveland
JOHN KOREN, Boston
WILLIAM H. THOMAS, Montgomery, Ala.
CAMILLUS G. KIDDER, Chairman, Orange, N. J.
Committee.

Mr. Kidder will prepare a résumé of the discussion for the April REVIEW.

The various papers read before the League have been widely republished in leading dailies and weeklies. In whole or in part they will appear in future numbers of the REVIEW or in volumes of the National Municipal League Series.

On motion adjourned.

CLINTON ROGERS WOODRUFF,
Secretary.

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